

# **EXHIBIT 8**

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1

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE: CATHODE RAY TUBE (CRT) )  
ANTITRUST LITIGATION )  
 ) No. 07-cv-05944 SC  
This Document Relates to: ) MDL No. 1917  
...(continuing caption page 2) )  
 )

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
CITY AND COUNTY OF SAN FRANCISCO

STATE OF CALIFORNIA, et al., )  
 )  
Plaintiffs, )  
 ) No. CGC-11-515784  
v. )  
 )  
SAMSUNG SDI, INC., CO., LTD, )  
et al., )  
Defendants. )  
 )

HIGHLY CONFIDENTIAL  
DEPOSITION OF TATSUO TOBINAGA  
San Francisco, California  
Monday, July 16, 2012

Reported by:  
LESLIE ROCKWOOD  
CSR No. 3462

## HIGHLY CONFIDENTIAL

<p style="text-align: right;">2</p> <p>1 UNITED STATES DISTRICT COURT 2 NORTHERN DISTRICT OF CALIFORNIA 3 SAN FRANCISCO DIVISION</p> <p>4 IN RE: CATHODE RAY TUBE (CRT) ) 5 ANTITRUST LITIGATION ) 6 ) 7 This Document Relates to: ) No. 07-cv-05944 SC 8 Direct Purchaser Plaintiff ) MDL No. 1917 9 Class Actions; ) 10 ) 11 Indirect Purchaser Plaintiff ) 12 Class Actions; ) 13 ) 14 State of Florida, Office of ) 15 the Attorney General, ) 16 Department of Legal Affairs ) 17 v. LG Electronics, Inc., et ) 18 al., No. 2011-CV-6205 SC ) 19 ) 20 SUPERIOR COURT OF THE STATE OF CALIFORNIA 21 CITY AND COUNTY OF SAN FRANCISCO</p> <p>22 STATE OF CALIFORNIA, et al., ) 23 ) 24 Plaintiffs, ) 25 ) 26 v. ) No. CGC-11-515784 27 ) 28 SAMSUNG SDI, INC., CO., LTD. ) 29 et al., ) 30 Defendants. ) 31 ) 32 Highly confidential Deposition of TATSUO TOBINAGA, 33 taken on behalf of the Indirect Purchaser Plaintiffs, at 34 44 Montgomery Street, Suite 3400, San Francisco, California, 35 commencing at 9:31 a.m. and ending at 6:18 p.m., on 36 Monday, July 16, 2012, before Leslie Rockwood, 37 Registered Professional Reporter, Certified Shorthand 38 Reporter No. 3462.</p>	<p style="text-align: right;">4</p> <p>1 APPEARANCES OF COUNSEL (Continued): 2 3 FOR DEFENDANTS PANASONIC CORPORATION, PANASONIC CORP. OF 4 NORTH AMERICA, AND MT PICTURE DISPLAY. CO., LTD.: 5 WEIL GOTSHAL &amp; MANGES LLP 6 BY: DAVID L. YOHAI, ESQ. 7 BY: DAVID YOLKUT, ESQ. 8 767 Fifth Avenue 9 New York, New York 10153-0119 10 (212) 310-8275 11 david.yohai@weil.com 12 david.yolkut.weil.com 13 14 FOR DEFENDANTS TOSHIBA CORPORATION, TOSHIBA AMERICA, 15 INC., TOSHIBA AMERICA INFORMATION SYSTEMS, INC., TOSHIBA 16 AMERICA CONSUMER PRODUCTS, LLC, et al.: 17 WHITE &amp; CASE LLP 18 BY: CHARISE NAIFEH, ESQ. (A.M. only)(via phone) 19 BY: AARON McALLISTER, ESQ. (P.M. only) (via phone) 20 701 13th Street, N.W. 21 Washington, DC 20005 22 (202) 626-3600 23 cnaifeh@whitecase.com 24 amcallister@whitecase.com 25</p>
<p style="text-align: right;">3</p> <p>1 APPEARANCES OF COUNSEL: 2 3 FOR INDIRECT PURCHASER PLAINTIFFS: 4 ZELLE HOFMANN VOELBEL &amp; MASON LLP 5 BY: DEMETRIUS X. LAMBRINOS, ESQ. 6 44 Montgomery Street, Suite 3400 7 San Francisco, California 94104 8 (415) 633-1948 9 dlambrinos@zelle.com 10 11 12 FOR DIRECT PURCHASER PLAINTIFFS: 13 SAVERI &amp; SAVERI, INC. 14 BY: GEOFFREY C. RUSHING, ESQ. 15 706 Sansome Street 16 San Francisco, California 94111 17 (415) 217-6810 18 grushing@saveri.com 19 20 21 22 23 24 25</p>	<p style="text-align: right;">5</p> <p>1 APPEARANCES OF COUNSEL (Continued): 2 3 FOR DEFENDANTS HITACHI, LTD., HITACHI DISPLAYS, LTD., 4 HITACHI ASIA, LTD., HITACHI AMERICA LTD., ND HITACHI 5 ELECTRONIC DEVICES (USA), INC.: 6 MORGAN LEWIS &amp; BOCKUS LLP 7 BY: AMRUTHA M. NANJAPPA, ESQ. (via phone) 8 One Market, Spear Street Tower 9 San Francisco, California 94105 10 (415) 442-1156 11 ananjappa@morganlewis.com 12 13 14 FOR DEFENDANTS KONINKLIFKE PHILIPS ELECTRONICS N.V., 15 PHILIPS ELECTRONICS NORTH AMERICA CORPORATION, PHILIPS 16 ELECTRONICS INDUSTRIES (TAIWAN), LTD., ET AL.: 17 BAKER BOTTS 18 BY: CHARLES MALAISE, ESQ. (via phone) 19 1299 Pennsylvania Avenue NW 20 Washington, DC 20004-2400 21 (202) 639-7909 22 charles.malaise@bakerbotts.com 23 24 25</p>

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<p>6</p> <p>1 APPEARANCES OF COUNSEL (Continued):</p> <p>2</p> <p>3 FOR DEFENDANTS SAMSUNG SDI AMERICA, INC., SAMSUNG SDI</p> <p>4 CO., LTD., SAMSUNG SDI MEXICO S.A. de C.V., SAMSUNG SDI</p> <p>5 BRASIL LTDA, SHENZHEN SAMSUNG SDI CO., LTD., ET AL.:</p> <p>6 SHEPPARD MULLIN RICHETER &amp; HAMPTON LLP</p> <p>7 BY: DYLAN I. BALLARD, ESQ. (via phone)</p> <p>8 Four Embarcadero Center, 17th Floor</p> <p>9 San Francisco, California 94111</p> <p>10 (415) 774-2914</p> <p>11 dballard@sheppardmullin.com</p> <p>12</p> <p>13</p> <p>14 STATE OF FLORIDA, OFFICE OF THE ATTORNEY GENERAL</p> <p>15 BY: JENNIFER MORGAN-BYRD, paralegal (via phone)</p> <p>16 The Capitol PL-01</p> <p>17 Tallahassee, Florida 32399-1050</p> <p>18 (850) 414-3912</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>8</p> <p>1 I N D E X</p> <p>2</p> <p>3</p> <p>4 MONDAY, JULY 16, 2012</p> <p>5</p> <p>6 WITNESS EXAMINATION</p> <p>7 TATSUO TOBINAGA, VOLUME 1</p> <p>8</p> <p>9 BY MR. LAMBRINOS 11</p> <p>10</p> <p>11 QUESTIONS WITNESS INSTRUCTED NOT TO ANSWER:</p> <p>12 Page Line</p> <p>13 13 14</p> <p>14 14 8</p> <p>15 14 18</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p>7</p> <p>1 APPEARANCES OF COUNSEL (Continued):</p> <p>2</p> <p>3 STATE OF CALIFORNIA, DEPARTMENT OF JUSTICE</p> <p>4 PUBLIC RIGHTS DIVISION, ANTITRUST LAW SECTION</p> <p>5 BY: ADAM MILLER, ESQ.</p> <p>6 455 Golden Gate Avenue, Suite 11000</p> <p>7 San Francisco, California 94102</p> <p>8 (415) 703-5551</p> <p>9 adam.miller@doj.ca.gov</p> <p>10</p> <p>11</p> <p>12 Also Present:</p> <p>13 Koko Peters, Interpreter (Japanese)</p> <p>14 Ari Lehman, Esq., Check Interpreter</p> <p>15 Kirill Levashob</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>9</p> <p>1 DEPOSITION EXHIBITS</p> <p>2 TATSUO TOBINAGA, VOLUME 1</p> <p>3 NUMBER DESCRIPTION IDENTIFIED</p> <p>4 Exhibit 261 MTPD-0608932 - 945 19</p> <p>5 Exhibit 262 Modem Number Examples from 63</p> <p>6 MTPD-0122906</p> <p>7 Exhibit 263 MTPD-0504719 - 4720 88</p> <p>8 Exhibit 264 MTPD-0504721 88</p> <p>9 Exhibit 265 MTPD-0468623 - 8631 125</p> <p>10</p> <p>11 PREVIOUSLY MARKED EXHIBITS</p> <p>12 NUMBER DESCRIPTION IDENTIFIED</p> <p>13 Exhibit 250 Amended Notice of Deposition 12</p> <p>14 Pursuant to Rule 30(b)(6),</p> <p>15 7/3/12</p> <p>16 Exhibit 251 Certificate of Accuracy, 46</p> <p>17 7/10/12</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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10	12
<p>1 MONDAY, JULY 16, 2012; SAN FRANCISCO, CALIFORNIA</p> <p>2 9:31 A.M.</p> <p>3 ---oOo---</p> <p>4</p> <p>5 KOKO PETERS,</p> <p>6 having been duly sworn to faithfully interpret the</p> <p>7 English language into the Japanese language and the</p> <p>8 Japanese language into the English language;</p> <p>9</p> <p>10 TATSUO TOBINAGA,</p> <p>11 called as a witness, having been duly sworn, was</p> <p>12 examined and testified through the Interpreter as</p> <p>13 follows:</p> <p>14</p> <p>15 MR. LAMBRINOS: Before we get started, it's my 09:31:21</p> <p>16 understanding that the Attorney General's Office would 09:31:22</p> <p>17 like to read something into the record. 09:31:25</p> <p>18 MR. MILLER: Yes. Good morning. This is Deputy 09:31:27</p> <p>19 Attorney General Adam Miller. I just want to put on the 09:31:30</p> <p>20 record that my office reserves the right to depose the 09:31:33</p> <p>21 corporate representative on other topics that have not 09:31:34</p> <p>22 been noticed in this current round of Federal Rule of 09:31:36</p> <p>23 Civil Procedure pursuant to the protocol. 09:31:39</p> <p>24 We further reserve the right to notice the 09:31:46</p> <p>25 depositions of those individuals whom you have designated 09:31:48</p>	<p>1 you are specifically instructed not to answer a question, 09:34:35</p> <p>2 that you're to answer honestly as if you were in a court 09:34:37</p> <p>3 of law? 09:35:01</p> <p>4 A. Yes. 09:35:01</p> <p>5 Q. Mr. Tobinaga, you understand that you will need 09:35:01</p> <p>6 to give verbal answers. So please avoid nonverbal 09:35:04</p> <p>7 answers such as nodding your head. The court reporter 09:35:09</p> <p>8 needs to hear your answers audibly in order to create a 09:35:11</p> <p>9 record. 09:35:15</p> <p>10 A. Yes. 09:35:33</p> <p>11 MR. LAMBRINOS: Mr. Tobinaga, I'm going to hand 09:35:37</p> <p>12 you what's been previously marked as Exhibit Number 250. 09:35:38</p> <p>13 (Exhibit 250, Amended Notice of Deposition</p> <p>14 Pursuant to Rule 30(b)(6), 7/3/12, was</p> <p>15 previously marked for identification.)</p> <p>16 THE WITNESS: Okay. 09:35:53</p> <p>17 Q. BY MR. LAMBRINOS: Do you know what this 09:35:53</p> <p>18 document is? 09:35:54</p> <p>19 A. Yes, it was explained to me by my attorney. 09:35:58</p> <p>20 Q. What is it, to your understanding? 09:36:03</p> <p>21 A. I understand that these are the topics that I 09:36:24</p> <p>22 will be questioned on in this lawsuit and that what I am 09:36:30</p> <p>23 assigned to is -- are numbers 9 through 4 -- excuse me -- 09:36:35</p> <p>24 2 to 4 and 9 through 20. 09:36:40</p> <p>25 Q. And is it your understanding that you're here to 09:36:44</p>
11	13
<p>1 to give testimony in the corporate capacity in this 09:31:51</p> <p>2 30(b)(6) round of depositions in their individual 09:31:54</p> <p>3 capacity at a later date in accordance with the protocol. 09:31:56</p> <p>4</p> <p>5 EXAMINATION</p> <p>6 BY MR. LAMBRINOS:</p> <p>7 Q. Could you please state your name for the record. 09:33:03</p> <p>8 A. It's Tatsuo Tobinaga. 09:33:07</p> <p>9 Q. Mr. Tobinaga, have you ever had your deposition 09:33:12</p> <p>10 taken before? 09:33:15</p> <p>11 A. This is my first time. 09:33:15</p> <p>12 Q. Mr. Tobinaga, do you speak English? 09:33:23</p> <p>13 A. I can speak simple English if it's for saying 09:33:25</p> <p>14 "hello" and such things. 09:33:34</p> <p>15 Q. Did you take -- did you learn English -- were 09:33:38</p> <p>16 you trained in English in school? 09:33:41</p> <p>17 A. I did study English up through university. 09:33:50</p> <p>18 Q. How many years? 09:33:55</p> <p>19 A. Six years with junior high school and high 09:34:01</p> <p>20 school, two years in college. So a total of eight years. 09:34:06</p> <p>21 Q. Mr. Tobinaga, before we get started on the 09:34:15</p> <p>22 substantive questions, I want to state a couple of rules 09:34:19</p> <p>23 for the deposition. 09:34:22</p> <p>24 A. Okay. 09:34:22</p> <p>25 Q. You understand that you're under oath and unless 09:34:32</p>	<p>1 testify on behalf of Panasonic as to these topics? 09:36:46</p> <p>2 A. Yes, I understand that I am here to represent 09:37:04</p> <p>3 that. 09:37:05</p> <p>4 Q. And that your answers are binding on behalf of 09:37:06</p> <p>5 Panasonic, Panasonic of North America, and MTPD to each 09:37:08</p> <p>6 of these topics? 09:37:16</p> <p>7 A. Yes. I've been told that I am representing 09:37:35</p> <p>8 Panasonic, PNA, and MTPD. 09:37:39</p> <p>9 Q. Did you speak with anyone to prepare for the 09:37:47</p> <p>10 deposition here today? 09:37:50</p> <p>11 A. Yes. Yesterday and two weeks ago in Japan, I 09:38:07</p> <p>12 prepared with Mr. Yohai, Mr. Yolkut, and Mr. Adam Hemlock 09:38:11</p> <p>13 who are here. 09:38:18</p> <p>14 Q. What did you discuss? 09:38:24</p> <p>15 MR. YOHAI: Objection. I'm going to instruct 09:38:25</p> <p>16 the witness not to answer that question. I believe it 09:38:29</p> <p>17 calls for privileged information. 09:38:31</p> <p>18 You're not to answer that question. 09:38:32</p> <p>19 THE WITNESS: Okay. 09:38:50</p> <p>20 Q. BY MR. LAMBRINOS: Was Ms. Peters present for 09:38:50</p> <p>21 these conversations? 09:38:52</p> <p>22 A. Peters. 09:39:01</p> <p>23 Q. The translator. Pardon me. 09:39:02</p> <p>24 A. She was there. 09:39:06</p> <p>25 Q. Was she at all of these conversations? 09:39:07</p>

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<p>1 A. It was only yesterday. 09:39:16</p> <p>2 Q. Did you speak to anyone else besides the people 09:39:19</p> <p>3 you've identified in preparation for this deposition? 09:39:23</p> <p>4 A. No, I did not. 09:39:25</p> <p>5 Q. Did you review any documents in preparation for 09:39:34</p> <p>6 today's deposition? 09:39:37</p> <p>7 A. Yes. 09:39:38</p> <p>8 Q. What documents did you review? 09:39:43</p> <p>9 MR. YOHAI: I object to that question and I 09:39:47</p> <p>10 object on the grounds of attorney-client privilege and 09:39:50</p> <p>11 work product. And I instruct the witness not to answer 09:39:52</p> <p>12 what documents he reviewed as that impinges upon 09:39:55</p> <p>13 privilege and work product. 09:39:59</p> <p>14 THE WITNESS: Okay. 09:40:29</p> <p>15 Q. BY MR. LAMBRINOS: Did you bring any documents 09:40:30</p> <p>16 with you today? 09:40:31</p> <p>17 A. I didn't bring anything with me. 09:40:34</p> <p>18 Q. Did you bring any strictly business-related 09:40:36</p> <p>19 documents -- did you review any strictly business-related 09:40:40</p> <p>20 documents in preparation for today's deposition? 09:40:44</p> <p>21 MR. YOHAI: I object to that question, and it's 09:40:50</p> <p>22 the same instruction. I instruct the witness not to 09:40:52</p> <p>23 answer. I'm not sure what you mean, given by strictly 09:40:54</p> <p>24 business-related documents, since all the documents have 09:40:58</p> <p>25 to do with the business. So I instruct the witness not 09:41:01</p>	<p>1 So my next question is: What university did you 09:43:31</p> <p>2 go to and what was your university background? 09:43:34</p> <p>3 A. It was the Osaka University, the basic 09:44:01</p> <p>4 engineering school, and the major was electrical 09:44:13</p> <p>5 engineering. And to add to that, I have graduated -- I 09:44:17</p> <p>6 also have a Master's degree. 09:44:25</p> <p>7 Q. First, what is -- how long was the program in 09:44:28</p> <p>8 electrical engineering? 09:44:33</p> <p>9 A. Two years as an undergraduate, two years at the 09:44:40</p> <p>10 graduate level. So a total of four years. 09:44:45</p> <p>11 Q. Is your graduate degree also in electrical 09:44:49</p> <p>12 engineering? 09:44:53</p> <p>13 A. Yes. 09:44:56</p> <p>14 Q. Do you have any other graduate degrees? 09:44:56</p> <p>15 A. No. 09:45:03</p> <p>16 Q. Have you had any legal training? 09:45:03</p> <p>17 A. No. 09:45:13</p> <p>18 Q. Have you ever attended business classes in the 09:45:18</p> <p>19 United States? 09:45:21</p> <p>20 A. No. 09:45:21</p> <p>21 Q. Do you have any kind of background in economics? 09:45:27</p> <p>22 (Interruption in proceedings.) 09:45:37</p> <p>23 (Mr. Ballard joins the deposition via</p> <p>24 speakerphone.) 09:45:42</p> <p>25 MR. LAMBRINOS: One moment, please. 09:45:42</p>
15	17
<p>1 to answer. 09:41:03</p> <p>2 Q. BY MR. LAMBRINOS: Mr. Tobinaga, I'm going to 09:41:24</p> <p>3 put a couple of remarks on the record. The first is that 09:41:26</p> <p>4 plaintiffs are reserving portions of our allocated 09:41:29</p> <p>5 deposition time for other topics in the future. So we 09:41:32</p> <p>6 will not be using all of our time today. 09:41:36</p> <p>7 Do you understand that? Well, all of our time 09:41:38</p> <p>8 that we've been allocated, I should say. 09:41:39</p> <p>9 Do you understand that? 09:41:41</p> <p>10 MR. YOHAI: We understand. Counsel understands. 09:41:42</p> <p>11 THE WITNESS: Yes. 09:42:20</p> <p>12 MR. LAMBRINOS: I see your counsel was trying to 09:42:20</p> <p>13 save me time before. I'd also like to put on the record 09:42:22</p> <p>14 that the Excel spreadsheets that are going to be used as 09:42:25</p> <p>15 exhibits have been modified per the ESI order 09:42:29</p> <p>16 specifications, Bates Numbered, and confidential 09:42:31</p> <p>17 designations added. The documents have been conformed 09:42:34</p> <p>18 for printing purposes only. 09:42:37</p> <p>19 Is that your understanding? 09:42:39</p> <p>20 MR. YOHAI: If it's within -- if it's in 09:42:41</p> <p>21 accordance with the protocol, then we have no objection. 09:42:42</p> <p>22 Q. BY MR. LAMBRINOS: Mr. Tobinaga, we talked a 09:43:20</p> <p>23 little bit about your educational background before, and 09:43:22</p> <p>24 you had said that you'd studied English for -- or you had 09:43:24</p> <p>25 eight years of English and then prior to university. 09:43:28</p>	<p>1 Who has joined us? 09:45:44</p> <p>2 MR. BALLARD: Dylan Ballard, Sheppard Mullin, 09:45:50</p> <p>3 for Samsung, MCI. 09:45:51</p> <p>4 MR. LAMBRINOS: Thank you. 09:45:54</p> <p>5 Q. Excuse me. Please continue, Mr. Tobinaga. 09:45:58</p> <p>6 A. I don't have any from studying at university. 09:46:01</p> <p>7 Q. Do you have any background in economics at all? 09:46:04</p> <p>8 A. As far as economics is concerned, I did study 09:46:24</p> <p>9 personally what I needed to learn for school, but I never 09:46:27</p> <p>10 studied it officially at school. 09:46:31</p> <p>11 Q. Have you used any of the -- have you used any of 09:46:37</p> <p>12 the knowledge you gained from your personal study in your 09:46:41</p> <p>13 business? 09:46:44</p> <p>14 A. I didn't use it directly, but for example, terms 09:47:14</p> <p>15 like operating profits, ordinary profits, profits prior 09:47:17</p> <p>16 to tax, and being able to read the balance sheet and 09:47:24</p> <p>17 profit and loss statements, things like that I did apply 09:47:28</p> <p>18 in work. 09:47:31</p> <p>19 Q. And you learned -- no, scratch that. 09:47:42</p> <p>20 Please describe your employment history since 09:47:44</p> <p>21 graduate school. 09:47:46</p> <p>22 A. All right. Immediately after graduating from 09:48:21</p> <p>23 University, I started working for Matsuda Electronics 09:48:24</p> <p>24 Industries, and after a one-year training period, I was 09:48:29</p> <p>25 placed in the display device organization. And I engaged 09:48:32</p>

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18	20
1 in business in that organization until I retired. 09:48:37	1 A. Okay. 09:54:51
2 And last year, after I retired from Panasonic, I 09:48:58	2 Q. Oh, sorry, before you do that, I'm going to read 09:54:53
3 started working at Morita Corporation, where I'm working 09:49:05	3 into the record the Bates Number of this document as 09:54:56
4 now, and that is a company that makes fire extinguishers. 09:49:10	4 MTPD-0608932. We flipped open to the first page, which 09:54:58
5 MR. LAMBRINOS: Just for the record, I think the 09:49:15	5 is a Bates Number ending in 8933. 09:55:05
6 interpreter said Matsuda, and that's what's coming up on 09:49:17	6 A. Okay. 09:55:24
7 your -- I believe it's Matsushita, not Matsuda. 09:49:20	7 Q. Do you see the page is titled "MTPD Company 09:55:24
8 THE INTERPRETER: Thank you. 09:49:25	8 Profile"? 09:55:28
9 Q. BY MR. LAMBRINOS: What was your title while you 09:49:26	9 A. Yes. 09:55:33
10 were working for the display device organization within 09:49:27	10 Q. And four lines down, it says President 09:55:34
11 MEI? 09:49:31	11 Tobinaga -- sorry, Tobinaga, Tatsuo? 09:55:38
12 A. I was a -- I was president in a joint venture 09:50:04	12 A. Yes. 09:55:47
13 company called MTPD, which was with -- joint venture with 09:50:12	13 Q. And that's you? 09:55:48
14 Matsushita. And prior to that, I was the president for a 09:50:19	14 A. Yes, it is me. 09:55:48
15 factory in Peking. I was also the head of a factory 09:50:23	15 Q. Under controlling share, it says Matsushita 09:55:50
16 prior to that. And then prior to that, I was also a 09:50:27	16 invests 100 percent. 09:55:55
17 manager and supervisor as well. 09:50:30	17 Do you see that? 09:55:56
18 Q. During what time period were you the president 09:50:37	18 A. Yes. 09:56:03
19 of MTPD? 09:50:40	19 Q. And so at this period in time when this 09:56:04
20 A. It was from April 2004 until I retired. 09:50:47	20 PowerPoint was written, which is June 23rd, 2007, MTPD 09:56:07
21 Q. And there was a little -- 09:51:00	21 was 100 percent controlled by Matsushita; is that 09:56:12
22 A. I'm sorry, I'm sorry. I'm sorry. It was from 09:51:01	22 correct? 09:56:33
23 June 2004. 09:51:06	23 MR. YOHAI: Objection to the form of the 09:56:33
24 Q. There was a little confusion, I think, on the 09:51:07	24 question, but you can answer. 09:56:36
25 translation, but am I correct MTPD was a joint venture 09:51:10	25 THE WITNESS: To explain it accurately, in 09:56:38
19	21
1 between Matsushita and Toshiba? 09:51:14	1 April 2003, the joint venture company between Matsushita 09:56:50
2 A. Yes. 09:51:23	2 and Toshiba was established. And after that, in 2006 09:56:55
3 (Exhibit 261, MTPD-0608932 - 945, marked for 09:52:09	3 Toshiba got out, and it became a hundred percent 09:57:12
4 identification.) 09:52:09	4 Panasonic share. That was 2006. 09:57:16
5 Q. BY MR. LAMBRINOS: Mr. Tobinaga, I'm handing you 09:52:09	5 Q. BY MR. LAMBRINOS: And who do you report to at 09:57:27
6 what's been marked now as Exhibit 261. 09:52:12	6 MTPD as president? 09:57:28
7 A. Okay. 09:52:21	7 A. Well, there is a separate company under 09:57:49
8 Q. Do you know what this is? 09:52:21	8 Matsushita called AVC, and I report to that. 09:57:54
9 A. Elaraby Corporation. Elaraby is a company in 09:52:23	9 Q. Who do you report to at AVC? 09:57:58
10 Egypt that manufactures TV sets. 09:53:02	10 A. There are two people to whom I reported. First 09:58:06
11 Q. This is an MTPD PowerPoint, is it not? 09:53:05	11 is Otsubo Sakamoto. 09:58:11
12 A. Yes, it does say MTPD on the top. So I think it 09:53:19	12 Q. Is AVC a wholly-owned subsidiary of Matsushita, 09:58:19
13 is used for giving a presentation to the customer, 09:53:25	13 Panasonic? 09:58:25
14 Elaraby. 09:53:29	14 A. A hundred percent, yes, of course, a hundred 09:58:32
15 Q. And Elaraby would be buying tubes from MTPD? 09:53:36	15 percent. 09:58:34
16 A. Yes. They are buying -- yes, they do buy tubes. 09:53:49	16 Q. What are the titles of these two individuals at 09:58:38
17 Q. And when I say "tubes" and when you say "tubes," 09:53:53	17 AVC to whom you report? 09:58:42
18 we're referring to cathode ray tubes, or CRTs. That's 09:53:56	18 A. I may be a little wrong, but they were operating 09:59:00
19 correct? 09:54:09	19 or managing directors in Panasonic. 09:59:06
20 A. Yes. 09:54:09	20 MR. YOHAI: By the way, just for the record, I 09:59:11
21 Q. Do you know an individual at MTPD called 09:54:11	21 believe AVC may be a division company rather than a 09:59:13
22 Kazuteru Yasukawa? 09:54:15	22 wholly-owned subsidiary. I don't want to testify for the 09:59:17
23 A. It's Kazuteru Yasukawa, yes. There was a person 09:54:27	23 witness, but just so the record's clear, I don't believe 09:59:20
24 named Yasukawa in sales in Indonesia. 09:54:41	24 it's a separately incorporated subsidiary. 09:59:23
25 Q. Can you flip open to the first page. 09:54:48	25 THE WITNESS: Yes, that is correct. I used in 10:00:01

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22			24		
1	Japanese a term that designates a separate company.	10:00:04	1	MR. YOHAI: We have a term like term	10:05:29
2	Q. BY MR. LAMBRINOS: A separate -- excuse me, a	10:00:12	2	clarification.	10:05:31
3	separate company, you mean a separate division within	10:00:13	3	CHECK INTERPRETER: Yeah, you've used both the	10:05:33
4	Panasonic?	10:00:21	4	terms "senmu" and "jomu."	10:05:35
5	A. It's an organization within Panasonic that was	10:00:24	5	THE INTERPRETER: Yes.	10:05:37
6	handled or that behaved -- that appeared to behave like a	10:00:31	6	CHECK INTERPRETER: And I think he originally	10:05:38
7	separate company.	10:00:39	7	testified that the people, Otsubo and Sakamoto, were	10:05:39
8	Q. It appeared to behave as a separate company, but	10:00:40	8	"senmu." I think because of the difficulty in -- there's	10:05:42
9	it was -- but the people that you communicated with were	10:00:43	9	obviously not a direct translation with the words. It	10:05:45
10	a managing director and an operating director of	10:00:46	10	seems to have switched over to "jomu." So I think we	10:05:48
11	Panasonic Corporation in Japan; is that right?	10:00:50	11	want to focus on the position that these two had,	10:05:51
12	A. Yes. I reported to them about the results of	10:01:14	12	Okomoto and -- Otsubo and Sakamoto, which I believe you	10:05:57
13	the business. And they were shareholders of MTPD. That	10:01:18	13	said they were "senmu."	10:06:01
14	was the reason.	10:01:31	14	MR. YOHAI: There's a lot of confusion. There's	10:06:02
15	Q. Who were shareholders of MTPD?	10:01:33	15	obviously a lot more directors than he's saying two or	10:06:05
16	A. Do you want the individuals' names?	10:01:40	16	three. So I don't know where the -- there's multiple	10:06:08
17	Q. The individuals' names, yes.	10:01:43	17	layers of confusion.	10:06:09
18	A. Well, in regards -- I don't remember all of	10:02:05	18	CHECK INTERPRETER: The titles -- Japanese has	10:06:11
19	them, but in regards to Panasonic, we have Mr. Otsubo,	10:02:09	19	very, you know, rigid titles that don't necessarily break	10:06:14
20	Mr. Sakamoto, and in regards to accounting and AV	10:02:12	20	down.	10:06:20
21	company, I don't remember the name, but it was the person	10:02:19	21	MR. LAMBRINOS: I'm not sure where the breakdown	10:06:20
22	who was in charge of that.	10:02:21	22	is, but we need to go over this again. I'm totally	10:06:21
23	Q. And I just want to clear something up: During	10:02:24	23	confused right now.	
24	what period of time were you the president of MTPD?	10:02:27	24	CHECK INTERPRETER: I think we need to focus on	10:06:21
25	A. From June 2004 until I retired, I was the	10:02:30	25	"senmu."	10:06:22
23			25		
1	president of MTPD. That was while it was a joint venture	10:02:59	1	MR. LAMBRINOS: Okay. Let's focus on that for	10:06:23
2	and also while it was a hundred percent Panasonic	10:03:04	2	now. "Senmu."	10:06:26
3	Company, I was the president of MTPD.	10:03:08	3	THE WITNESS: Okay.	10:07:42
4	Q. What date did you retire?	10:03:10	4	Q. BY MR. LAMBRINOS: What was the position of	10:07:44
5	A. It was June 30th, 2011.	10:03:12	5	Mr. Otsubo and Mr. Sakamoto at Panasonic?	10:07:47
6	Q. And one reason I asked that is to clear up the	10:03:25	6	MR. YOHAI: I'm sorry to object. Could you	10:07:55
7	tense, and it's that you had during that period of time,	10:03:28	7	clarify time frame?	10:07:57
8	June 2004 to June 2011, you reported to Otsubo and	10:03:31	8	MR. LAMBRINOS: Yes.	10:07:59
9	Sakamoto from Panasonic. I didn't want to imply that you	10:03:37	9	Q. At the point you reported to them, Mr. Otsubo	10:08:00
10	were still reporting to them.	10:03:41	10	and Mr. Sakamoto, at their highest levels in the	10:08:04
11	A. I am not reporting to them now, of course.	10:04:08	11	position, what were they?	10:08:07
12	Q. Of course. And is it Mr. Otsubo or Mr. Sakamoto	10:04:10	12	A. Okay. I will break this down by time. Between	10:08:37
13	who was an operating director at Panasonic?	10:04:14	13	2004 and June 2006, I was reporting to Mr. Otsubo. And	10:08:40
14	A. In my recollection, both of them were promoted	10:04:27	14	in 2006, Mr. Otsubo's last title was senior managing	10:08:50
15	to operating and managing directors.	10:04:38	15	director. And as Mr. Otsubo's successor after that,	10:08:55
16	Q. How many operating directors are there at	10:04:42	16	Mr. Sakamoto was there. And Mr. Sakamoto as well, when I	10:09:07
17	Panasonic?	10:04:46	17	started reporting to him, was senior managing director.	10:09:18
18	A. I don't remember, probably two to three people.	10:04:52	18	Q. Is senior managing director the highest level	10:09:22
19	Q. Two to three?	10:04:59	19	within Panasonic that either Mr. Sakamoto or Mr. Otsubo	10:09:25
20	A. You're asking about people who had the title of	10:05:01	20	achieved?	10:09:29
21	operating director at Panasonic; right?	10:05:09	21	A. After that, Mr. Otsubo was senior managing --	10:10:13
22	Q. That's correct.	10:05:11	22	senior managing director in June 2006. Oh, I'm sorry,	10:10:19
23	A. If we're talking about the operating director at	10:05:19	23	now I remember. My memory is coming back. It was April.	10:10:24
24	Panasonic, it's two people or three people, depending on	10:05:23	24	In April 2006, he left the position of president of AV	10:10:26
25	when it is the number changes.	10:05:26	25	company, and in June 2006 became the president of	10:10:31

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<p>1 Panasonic. And ultimately Mr. Sakamoto has -- went -- 10:10:37</p> <p>2 was vice president. 10:10:48</p> <p>3 Q. So just to get everything clear on the record, 10:10:52</p> <p>4 from 2004 to 2006, you reported to Mr. Otsubo, who was at 10:10:55</p> <p>5 that time senior managing director at Panasonic and was 10:11:00</p> <p>6 ultimately elevated to president of Panasonic in June of 10:11:03</p> <p>7 2006; is that correct? 10:11:07</p> <p>8 A. Yes. 10:11:35</p> <p>9 Q. And then from 2006 until 2011, you reported to 10:11:36</p> <p>10 Mr. Sakamoto, who was at that time senior managing 10:11:40</p> <p>11 director at Panasonic and has since been elevated to vice 10:11:44</p> <p>12 president of Panasonic; is that correct? 10:11:48</p> <p>13 A. Let me correct one part. I reported to the AV 10:12:12</p> <p>14 president, Mr. Sakamoto, through 2009. After that, MTPD 10:12:37</p> <p>15 was not engaging in business so there was no reporting. 10:12:42</p> <p>16 Q. But everything else I said about Mr. Sakamoto 10:12:47</p> <p>17 was correct? 10:12:50</p> <p>18 A. Yes. 10:12:57</p> <p>19 Q. What form did this reporting take? 10:12:58</p> <p>20 MR. YOHAI: Objection to the form of the 10:13:03</p> <p>21 question. 10:13:05</p> <p>22 You can answer if you understand. 10:13:05</p> <p>23 THE WITNESS: I reported on a monthly basis. 10:13:21</p> <p>24 Every month I reported the results of the business 10:13:25</p> <p>25 meeting, and once a month there was a meeting within AV 10:13:43</p>	<p>1 report at those meetings with AVC with the division 10:16:31</p> <p>2 heads? 10:16:34</p> <p>3 A. The person who was organizing that meeting would 10:17:00</p> <p>4 be the person who's responsible for accounting at AVC, 10:17:05</p> <p>5 and that person would be -- would give out the copies. 10:17:10</p> <p>6 Q. Do you remember what that person's name in 10:17:15</p> <p>7 charge of accounting at AVC was between 2004 and 2006? 10:17:17</p> <p>8 A. I'm sorry, it slips my mind. 10:17:35</p> <p>9 Q. So that I understand this, aside from these -- 10:17:37</p> <p>10 excuse me, did you say that these meetings occurred every 10:17:42</p> <p>11 month with AVC? 10:17:46</p> <p>12 A. Yes, it's every month. 10:17:48</p> <p>13 Q. Aside from these monthly in-person meetings with 10:17:55</p> <p>14 the division heads at AVC, did you separately report to 10:17:58</p> <p>15 Mr. Otsubo or Mr. Sakamoto, depending on the time period, 10:18:04</p> <p>16 about the business at MTPD? 10:18:09</p> <p>17 A. When there are significant -- a large decision 10:18:57</p> <p>18 such as closing the Ohio company and ceasing business 10:19:01</p> <p>19 needed to be made, then it was necessary to receive the 10:19:06</p> <p>20 approval of Panasonic headquarters. So I would go to 10:19:11</p> <p>21 consult with them then. 10:19:17</p> <p>22 Q. What were all the situations in which you would 10:19:19</p> <p>23 have to achieve approval from Panasonic headquarters in 10:19:21</p> <p>24 which such reports would have to be made? 10:19:25</p> <p>25 MR. YOHAI: Objection to the form of the 10:19:44</p>
27	29
<p>1 company that brought together all of the people who are 10:13:47</p> <p>2 in charge of the business units, and I reported the 10:13:50</p> <p>3 business results of MTPD there. 10:13:53</p> <p>4 And once a year, there is a shareholders 10:14:05</p> <p>5 meeting, and I made a report on the yearly performance 10:14:09</p> <p>6 there. 10:14:15</p> <p>7 Q. BY MR. LAMBRINOS: The shareholders meeting of 10:14:17</p> <p>8 what company? 10:14:19</p> <p>9 A. It's the shareholders meeting of MTPD. 10:14:20</p> <p>10 Q. Was the meeting with AVC conducted in person or 10:14:38</p> <p>11 over the phone? 10:14:42</p> <p>12 A. The people who are in charge of the business 10:14:58</p> <p>13 units would all gather in a conference room like this and 10:15:01</p> <p>14 report one after another. 10:15:07</p> <p>15 Q. Would you prepare documents in -- and reports in 10:15:08</p> <p>16 advance of these meetings to present there? 10:15:12</p> <p>17 A. The person who was responsible for accounting at 10:15:14</p> <p>18 MTPD would put the numbers together for MTPD -- it was 10:15:39</p> <p>19 about a one-page document -- and I would report on that. 10:15:45</p> <p>20 Q. What would be on that one-page document? Or 10:15:50</p> <p>21 sorry, back up. Strike that. 10:15:54</p> <p>22 What would that one-page document be called? 10:15:56</p> <p>23 A. The report was the business report. It was a 10:15:58</p> <p>24 report for each month, the business report. 10:16:19</p> <p>25 Q. And would you pass out copies of this business 10:16:29</p>	<p>1 question. 10:19:45</p> <p>2 I don't think that question is possible to 10:19:45</p> <p>3 answer, but you can do the best you can. 10:19:48</p> <p>4 MR. LAMBRINOS: Go ahead and answer, please. 10:19:49</p> <p>5 THE WITNESS: Yes, within the Panasonic group, 10:20:54</p> <p>6 there are standards for going through the approval 10:21:00</p> <p>7 process, and for things such as closing a major factory 10:21:02</p> <p>8 or buying property and things that are significant like 10:21:07</p> <p>9 that would require the -- going through the approval 10:21:12</p> <p>10 process. 10:21:17</p> <p>11 So based on that, approval would be sought from 10:21:18</p> <p>12 the headquarters, from the parent, and the consultation 10:21:22</p> <p>13 would be made with the AVC president, and when agreement 10:21:29</p> <p>14 has been -- when approval has been given or when he 10:21:34</p> <p>15 agrees, then we would go through the approval process. 10:21:38</p> <p>16 And in my recollection, the only time that this 10:21:42</p> <p>17 was done with AVC was for the closing of a factory or the 10:21:45</p> <p>18 selling off of a factory. 10:21:50</p> <p>19 Q. BY MR. LAMBRINOS: Please walk me through the 10:22:01</p> <p>20 approval process for closing down a factory, for example. 10:22:07</p> <p>21 A. First of all, there is a form, approval process 10:22:20</p> <p>22 form, and the sub-contents will be put in by MTPD. And 10:22:27</p> <p>23 in the case of closing Ohio, for example, a very simple 10:22:44</p> <p>24 explanation of why Ohio is to be closed would be added to 10:22:49</p> <p>25 that, and that would form a report. 10:22:54</p>

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<p>1 And then the idea will -- for this will be 10:23:19</p> <p>2 formed, and I would sign it or put my stamp -- my stamp 10:23:24</p> <p>3 on it, and then that would be brought to the president of 10:23:29</p> <p>4 AVC, Mr. Sakamoto, who would then approve of it. And 10:23:33</p> <p>5 then after that, it would ultimately go to the ultimate 10:23:38</p> <p>6 person responsible for approval, the president. 10:23:42</p> <p>7 Q. The president of Panasonic? 10:23:47</p> <p>8 A. As I mentioned earlier, according to the rules 10:24:00</p> <p>9 of the approval process, there are some levels at which 10:24:11</p> <p>10 the approval of the president of the headquarters is 10:24:14</p> <p>11 necessary, some in which the AVC president level is 10:24:18</p> <p>12 sufficient, and some in which the person who is in charge 10:24:23</p> <p>13 of the business unit is the level that is needed. 10:24:28</p> <p>14 Q. And just to clarify, then, there are some 10:24:30</p> <p>15 decisions, such as the closure of the Ohio factory, which 10:24:32</p> <p>16 would require the approval of the president of Panasonic? 10:24:35</p> <p>17 A. Yes. 10:24:59</p> <p>18 Q. Thank you. A third type of reporting we've 10:25:00</p> <p>19 discussed is at the shareholders meeting. This is an 10:25:05</p> <p>20 annual shareholders meeting, I think you said? 10:25:09</p> <p>21 A. Yes, it is. 10:25:25</p> <p>22 Q. Did the MTPD -- and these shareholders -- at 10:25:26</p> <p>23 these shareholders meetings, did the board of directors 10:25:28</p> <p>24 of MTPD attend? 10:25:31</p> <p>25 A. Yes, they did. 10:25:38</p>	<p>1 question. I'm not sure what that question's asking. 10:28:02</p> <p>2 MR. LAMBRINOS: I'll rephrase. 10:28:10</p> <p>3 Q. Did anybody, aside from the ten board members of 10:28:12</p> <p>4 MTPD, attend the annual shareholders meeting at which you 10:28:16</p> <p>5 presented in 2004? 10:28:21</p> <p>6 MR. YOHAI: Objection to the form of the 10:28:44</p> <p>7 question again. 10:28:46</p> <p>8 MR. LAMBRINOS: Go ahead and answer. 10:28:48</p> <p>9 THE WITNESS: Well, if my memory is correct, 10:29:06</p> <p>10 from Toshiba -- well, it was 2004 so Toshiba would have 10:29:10</p> <p>11 been part of the shareholders, too. So there was -- 10:29:15</p> <p>12 there was or were representative or representatives from 10:29:18</p> <p>13 Toshiba as well. 10:29:22</p> <p>14 Q. What form did your presentation take at the 10:29:23</p> <p>15 shareholders meeting? 10:29:26</p> <p>16 A. I read a report. 10:29:38</p> <p>17 Q. What was that report called? 10:29:39</p> <p>18 A. I think -- I don't remember exactly. I think it 10:29:54</p> <p>19 was the shareholders meeting annual report. I don't 10:29:58</p> <p>20 really remember. I think it was the annual report. 10:30:02</p> <p>21 Q. Would this have been a document you prepared 10:30:05</p> <p>22 yourself? 10:30:07</p> <p>23 A. It is the person or people who are in charge of 10:30:19</p> <p>24 accounting that I mentioned earlier as well a few times 10:30:24</p> <p>25 who would have been mainly involved in that. 10:30:27</p>
31	33
<p>1 Q. How many board members were there at that time? 10:25:40</p> <p>2 We'll start with 2004 to 2006. 10:25:43</p> <p>3 A. In 2004, that was the time when there was still 10:25:46</p> <p>4 a joint venture with Toshiba. So in total, according to 10:26:11</p> <p>5 my memory, it was ten people, although I may be wrong. 10:26:16</p> <p>6 It was ten people. 10:26:19</p> <p>7 And then as time passed, the business was -- 10:26:32</p> <p>8 business became smaller so the number decreased until 10:26:37</p> <p>9 ultimately I was the only person. 10:26:42</p> <p>10 Q. Did you go every year between 2004 and 2011 to 10:26:45</p> <p>11 present at these shareholder meetings? 10:26:49</p> <p>12 A. Yes. 10:27:04</p> <p>13 Q. And in 2004, when there were ten people on the 10:27:05</p> <p>14 board, am I correct that six of them were Panasonic 10:27:08</p> <p>15 representatives and four of them were Toshiba 10:27:11</p> <p>16 representatives? 10:27:13</p> <p>17 A. My recollection is the same of that as well. 10:27:27</p> <p>18 Q. What was the purpose of making these 10:27:31</p> <p>19 presentations to the shareholders and board of directors? 10:27:34</p> <p>20 Oh, excuse me. 10:27:35</p> <p>21 Before we go on, so in 2004, for example, when 10:27:37</p> <p>22 there are ten board members, are there anybody else you 10:27:40</p> <p>23 would consider a shareholder that attended these 10:27:44</p> <p>24 meetings? 10:27:49</p> <p>25 MR. YOHAI: I object to the form of the 10:28:01</p>	<p>1 Q. And what would the contents of this report have 10:30:31</p> <p>2 been? 10:30:34</p> <p>3 A. First it would be the operating situation, the 10:30:51</p> <p>4 market situation, and PL and PS. These type of things 10:30:55</p> <p>5 would have been central. 10:30:59</p> <p>6 Q. What are PL and PS? 10:31:01</p> <p>7 A. Profit and loss statement and balance sheet. 10:31:12</p> <p>8 Q. What would be included under the operating 10:31:16</p> <p>9 information heading? 10:31:19</p> <p>10 A. Well, the major topic -- well, because at that 10:31:44</p> <p>11 time in my recollection the main -- it was mainly about 10:31:48</p> <p>12 the impact of the flat screen LCDs and plasma and such 10:31:52</p> <p>13 flat screen on the CRT business. 10:32:01</p> <p>14 Q. Would it include information about manufacturing 10:32:03</p> <p>15 capacity for CRTs? 10:32:06</p> <p>16 A. I don't think it was that detailed. The data -- 10:32:28</p> <p>17 I don't think the data was that detailed. In my 10:32:32</p> <p>18 recollection, it was mainly about trends. 10:32:35</p> <p>19 Q. How long were these reports? 10:32:40</p> <p>20 A. Are you asking about time? 10:32:48</p> <p>21 Q. No. Excuse me. I'm asking about size. Earlier 10:32:50</p> <p>22 we had talked about -- we had talked about these monthly 10:32:52</p> <p>23 meetings with the division heads at AVC, and you said it 10:32:55</p> <p>24 was a one-page document. And I'm just trying to get an 10:32:58</p> <p>25 idea of how these reports are different. 10:33:01</p>

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<p>1 A. In my recollection, it was around four to five 10:33:04</p> <p>2 pages of A4 size. 10:33:32</p> <p>3 Q. A4 size meaning -- is that a -- oh, the Japanese 10:33:36</p> <p>4 size of paper. 10:33:42</p> <p>5 Going back really quick to the one-page -- the 10:33:43</p> <p>6 one-page reports that were issued monthly that you 10:33:46</p> <p>7 presented to the AVC division heads, what would the 10:33:50</p> <p>8 contents of those one-page reports be? 10:33:53</p> <p>9 A. Well, in three quarters of it, there would be a 10:34:30</p> <p>10 chart with numbers, and in that chart would be written 10:34:36</p> <p>11 the profit-and-loss results from the previous month. And 10:34:39</p> <p>12 then in the remaining area, there was a little -- little 10:34:47</p> <p>13 explanation written in sentences. Production situation, 10:34:51</p> <p>14 sales situation, if there's any particular topic of note, 10:35:12</p> <p>15 there were some comments on those. 10:35:15</p> <p>16 Q. What kind of information would be provided under 10:35:19</p> <p>17 the heading of production situation? 10:35:22</p> <p>18 A. Well, in the chart that includes numbers, there 10:36:01</p> <p>19 would be information about the business plan and the 10:36:08</p> <p>20 actual results and if the actual reports were according 10:36:11</p> <p>21 to the business plan, then there would be no comments 10:36:16</p> <p>22 written. However, if there was a difference between the 10:36:19</p> <p>23 business plan and the actual results, then the reasons 10:36:22</p> <p>24 would be stated. 10:36:24</p> <p>25 For example, the reason why production didn't go 10:36:26</p>	<p>1 over, there's another organizational chart. 10:38:33</p> <p>2 Do you see that, Mr. Tobinaga? 10:38:34</p> <p>3 A. Yes, I'm looking at it. 10:39:07</p> <p>4 Q. That's your name listed as president; correct, 10:39:08</p> <p>5 Mr. T. Tobinaga? 10:39:11</p> <p>6 A. Yes, it is. 10:39:12</p> <p>7 Q. And then if you look down from there, there's a 10:39:18</p> <p>8 branch of this chart that discusses the global sales 10:39:21</p> <p>9 group and has an H. Nishiyama. 10:39:24</p> <p>10 Do you see that? 10:39:27</p> <p>11 A. Nishiyama, yes. 10:39:37</p> <p>12 Q. And are you aware that a Mr. Hirokazu Nishiyama 10:39:45</p> <p>13 has been called to testify on certain topics in this case 10:39:48</p> <p>14 after you, in fact, tomorrow? 10:39:51</p> <p>15 A. Yes. 10:40:11</p> <p>16 Q. How do you know that? 10:40:12</p> <p>17 MR. YOHAI: You should not disclose any 10:40:17</p> <p>18 privileged communications. I caution the witness not to 10:40:19</p> <p>19 disclose any privileged communications. 10:40:21</p> <p>20 THE WITNESS: Okay. 10:40:38</p> <p>21 MR. LAMBRINOS: You can answer if you can answer 10:40:38</p> <p>22 in a way that does not disclose privileged information. 10:40:40</p> <p>23 THE WITNESS: I can't think of any. 10:40:56</p> <p>24 Q. BY MR. LAMBRINOS: Have you had any discussions 10:40:5</p> <p>25 with Mr. Nishiyama about this case? 10:40:59</p>
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<p>1 well was because there was some breakage of the 10:36:29</p> <p>2 equipment, et cetera. 10:36:34</p> <p>3 Q. Who is in charge of generating the business plan 10:36:35</p> <p>4 for MTPD? And we can start with the 2004 to 2006 time 10:36:38</p> <p>5 period and then the 2006 to 2011 time period. 10:36:47</p> <p>6 A. The person who is responsible for developing the 10:37:05</p> <p>7 business plan is the person who's in charge of 10:37:08</p> <p>8 accounting. 10:37:11</p> <p>9 Q. Who would that have been during the 2004 to 2006 10:37:12</p> <p>10 time period? 10:37:15</p> <p>11 A. If I were to mention the name of that 10:37:22</p> <p>12 individual, it's a person named Morishita. 10:37:28</p> <p>13 Q. What is the first name? 10:37:32</p> <p>14 A. Morishita -- well, I don't remember. 10:37:42</p> <p>15 Q. What about during the 2006 to 2011 time period? 10:37:45</p> <p>16 A. He retired in 2010. So until then, he was 10:37:57</p> <p>17 always responsible. 10:38:00</p> <p>18 Q. And there were no more CRTs being manufactured 10:38:01</p> <p>19 after 2009; right? 10:38:06</p> <p>20 A. No, they were not. 10:38:11</p> <p>21 Q. Okay. Please flip the page of this PowerPoint. 10:38:15</p> <p>22 Again, we're discussing this -- just for reference. 10:38:18</p> <p>23 We're discussing the PowerPoint. The Bates Number ends 10:38:21</p> <p>24 in 8932. We've marked it as 261. It's a presentation 10:38:23</p> <p>25 made by MTPD to Elaraby Corporation. If we flip the page 10:38:29</p>	<p>1 A. No, I have not. 10:41:05</p> <p>2 Q. Thank you. Flip to the next page of this 10:41:06</p> <p>3 PowerPoint. It says "MTPD Production Map of the World." 10:41:15</p> <p>4 Do you see that? 10:41:18</p> <p>5 A. Yes. 10:41:18</p> <p>6 Q. And it says CPT production capacity, 10:41:29</p> <p>7 15.7 million PCS. 10:41:35</p> <p>8 Do you see that? 10:41:38</p> <p>9 A. Yes. 10:41:45</p> <p>10 Q. And is this an indication that MTPD's total 10:41:46</p> <p>11 production capacity is in fact 15.7 million pieces? 10:41:51</p> <p>12 MR. YOHAI: Objection. Clarification. Could we 10:42:12</p> <p>13 get a time frame on that question? 10:42:14</p> <p>14 MR. LAMBRINOS: 2007. 10:42:15</p> <p>15 THE WITNESS: Well, for each company, the 10:42:29</p> <p>16 maximum production capacity of -- of CPT are noted, and 10:42:41</p> <p>17 that is the number when all of those are added, according 10:42:48</p> <p>18 to my understanding. 10:42:51</p> <p>19 Q. BY MR. LAMBRINOS: Are there reports with more 10:42:52</p> <p>20 detailed information on CPT production capacity -- or 10:42:54</p> <p>21 excuse me, CRT production capacity that you viewed in the 10:42:59</p> <p>22 ordinary course of business in the scope of your 10:43:02</p> <p>23 employment as president of MTPD? 10:43:05</p> <p>24 A. Basically, production capacity is expressed in 10:43:42</p> <p>25 numbers similar to this. 10:43:47</p>

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<p>1 Q. Flip to the last page of this PowerPoint. It's 10:43:55</p> <p>2 Bates Number ending in 8945. This is a page titled 10:44:00</p> <p>3 "Competitors Status of Operating System Restructuring." 10:44:08</p> <p>4 Do you see that? Do you see that, Mr. Tobinaga? 10:44:13</p> <p>5 A. Yes, I do. 10:44:31</p> <p>6 Q. Okay. And if we're to look at the first column 10:44:33</p> <p>7 of information, it lists companies such as SDI. Do you 10:44:35</p> <p>8 understand SDI there to mean a Samsung entity that makes 10:44:39</p> <p>9 cathode ray tubes? 10:44:45</p> <p>10 A. To make an assessment based on the flow of this 10:45:12</p> <p>11 presentation, I can understand that to mean a Samsung 10:45:18</p> <p>12 entity that makes CRTs. 10:45:23</p> <p>13 Q. And then in the column next to SDI, it lists 10:45:25</p> <p>14 several names, including Husan, Malaysia, Shenzhen, 10:45:30</p> <p>15 et cetera. I think there's one, two -- there are seven 10:45:35</p> <p>16 places named. 10:45:41</p> <p>17 Do you understand these to be the manufacturing 10:45:41</p> <p>18 sites that SDI produces CRTs at? 10:45:43</p> <p>19 A. Yes. I do have recollection that SDIs 10:46:26</p> <p>20 manufacturing sites are in such locations. 10:46:32</p> <p>21 Q. If we go to the next column, it's titled 10:46:34</p> <p>22 "Operation," and then in parentheses, it says 10:46:37</p> <p>23 "Percentage: Rate of number" -- "rate of NO operation." 10:46:39</p> <p>24 Do you see that? 10:46:43</p> <p>25 A. Yes. 10:46:57</p>	<p>1 A. It's the production support center. 10:50:15</p> <p>2 Q. Who's in charge of the production support center 10:50:20</p> <p>3 during the 2004 to 2006 time frame first and then 2006 to 10:50:26</p> <p>4 2011? 10:50:30</p> <p>5 A. Until 2006, I think, it was Hino, and after 10:50:46</p> <p>6 that, I seem to have forgotten the name. 10:50:55</p> <p>7 Q. The next question it says "Information" in the 10:50:58</p> <p>8 next column. So, for example, if we were to look at SDI 10:51:01</p> <p>9 and their Brazil plant, the operation rate says very bad 10:51:05</p> <p>10 condition, and then in information it says "CDT line will 10:51:10</p> <p>11 be closed within" -- "within '07. CPT line to be 10:51:14</p> <p>12 remained." 10:51:19</p> <p>13 Do you see that? 10:51:20</p> <p>14 A. If I read that, that is what it says, but I 10:52:00</p> <p>15 don't have knowledge whether this is accurate or not. 10:52:03</p> <p>16 Q. And would the production support center have 10:52:06</p> <p>17 been tasked with gathering this information? 10:52:08</p> <p>18 A. The production support center handled only 10:52:21</p> <p>19 information about our own company. It didn't collect 10:52:26</p> <p>20 anything about other companies. 10:52:29</p> <p>21 Q. Then how would this information have made its 10:52:30</p> <p>22 way onto this chart? 10:52:33</p> <p>23 A. I don't know. 10:52:36</p> <p>24 Q. This chart was used in a presentation to one of 10:52:39</p> <p>25 your customers; correct? 10:52:41</p>
39	41
<p>1 Q. What do you take that to mean? 10:46:57</p> <p>2 A. Well, it says operation rate so... 10:46:59</p> <p>3 THE INTERPRETER: I'm sorry, one moment, please. 10:47:40</p> <p>4 THE WITNESS: Um, well, it does say operation 10:47:56</p> <p>5 rate, so I think that is the utilization rate, but I 10:47:59</p> <p>6 don't know what the substance means. 10:48:08</p> <p>7 Q. BY MR. LAMBRINOS: So, for example, when we were 10:48:10</p> <p>8 looking at SDI's Shenzhen facility at 33 percent, you 10:48:13</p> <p>9 would take that to mean that SDI's Shenzhen facility is 10:48:18</p> <p>10 operating at 33 percent utilization rate; is that 10:48:22</p> <p>11 correct? 10:48:45</p> <p>12 MR. YOHAI: Objection to the form of the 10:48:45</p> <p>13 question. The witness testified he wasn't sure what this 10:48:46</p> <p>14 meant, and it's phrased as percent rate of no operation. 10:48:50</p> <p>15 You can answer if you know, but don't speculate. 10:48:54</p> <p>16 THE WITNESS: As I said earlier, if I read it, 10:49:26</p> <p>17 it says 33 percent, but I don't know what that means. 10:49:29</p> <p>18 Q. BY MR. LAMBRINOS: In the scope of your duties 10:49:32</p> <p>19 as president of MTPD, do you review utilization rates for 10:49:34</p> <p>20 MTPD? 10:49:38</p> <p>21 A. There was an entity that -- or organization that 10:49:54</p> <p>22 put together the data, but I didn't put much -- that much 10:50:03</p> <p>23 focus on it. 10:50:07</p> <p>24 Q. What organization put together the utilization 10:50:07</p> <p>25 rate data? 10:50:10</p>	<p>1 A. Well, when I looked at the very first page, it 10:52:58</p> <p>2 says Elaraby. So I think there's a possibility that this 10:53:01</p> <p>3 was made for a presentation to Elaraby. 10:53:05</p> <p>4 Q. And I'll represent to you, Mr. Tobinaga, that I 10:53:08</p> <p>5 have metadata that says that the custodian file this came 10:53:12</p> <p>6 from is Mr. Kazuteru Yasukawa, who we discussed earlier 10:53:16</p> <p>7 in this deposition. 10:53:20</p> <p>8 A. I don't know. 10:53:37</p> <p>9 Q. So you don't have any reason to believe that 10:53:49</p> <p>10 Mr. Yasukawa did not produce this document, do you? 10:53:51</p> <p>11 A. This is the first time that I see this document 10:54:12</p> <p>12 so I don't know how this document was drafted and how it 10:54:16</p> <p>13 was handled at this stage. 10:54:21</p> <p>14 Q. You have no reason to believe it was not 10:54:23</p> <p>15 produced in the ordinary course of business at Panasonic 10:54:25</p> <p>16 or at MTPD? 10:54:28</p> <p>17 A. Well, at least this is the first time that I see 10:54:29</p> <p>18 this material, and I don't use this type of material in 10:54:48</p> <p>19 my regular business. 10:54:53</p> <p>20 Q. But MTPD does use this material in its regular 10:54:55</p> <p>21 course of business in the course of sales, for example, 10:54:59</p> <p>22 to Elaraby? 10:55:01</p> <p>23 A. Well, sales at MTPD was left to the individual 10:55:03</p> <p>24 regions or sites. So for the most case, the person who 10:55:39</p> <p>25 was assigned to that, assigned to sales, would develop it 10:55:43</p>

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<p>1 themselves. And for the most part, the materials that 10:55:48</p> <p>2 were developed or prepared in each of those sites did not 10:55:59</p> <p>3 make their way to me. 10:56:02</p> <p>4 Q. What materials did you review on a daily basis 10:56:07</p> <p>5 in your position as president of MTPD during the 2006 -- 10:56:11</p> <p>6 2004/2006 in terms of CRT capacity information? 10:56:15</p> <p>7 A. Within the scope of my company? 10:56:36</p> <p>8 Q. Yes. 10:56:38</p> <p>9 A. Well, depending on as -- 10:56:39</p> <p>10 THE INTERPRETER: Strike that. Interpreter 10:56:58</p> <p>11 would like to start over. 10:56:59</p> <p>12 THE WITNESS: On an as-needed basis, I would 10:57:01</p> <p>13 look at graph or graphs that the production support 10:57:04</p> <p>14 center that I mentioned earlier would develop. However, 10:57:07</p> <p>15 that was for reference. So I don't have recollection of 10:57:22</p> <p>16 using that data as a basis for making any kind of 10:57:26</p> <p>17 decision. 10:57:30</p> <p>18 Q. BY MR. LAMBRINOS: What would those grafts 10:57:30</p> <p>19 depict? 10:57:32</p> <p>20 A. On the vertical axis -- strike that. 10:57:50</p> <p>21 On the horizontal axis, the date would be 10:57:57</p> <p>22 written, and on the vertical axis, the production volumes 10:58:01</p> <p>23 would be written. And this was a graph that would show 10:58:03</p> <p>24 the monthly plan and the actual to see if it -- the 10:58:06</p> <p>25 production was according to plan. 10:58:11</p>	<p>1 And by applying the deflection yoke, the beam 11:01:21</p> <p>2 will be bent, and there will be scanning done, and the 11:01:26</p> <p>3 picture will be drawn. Basically the scanning is done 11:01:30</p> <p>4 from the upper left corner going down and ending at the 11:01:40</p> <p>5 bottom right corner. 11:01:45</p> <p>6 And by drawing this very quickly, the human eye 11:01:53</p> <p>7 would be able to see the picture on the screen. And the 11:01:57</p> <p>8 component that serves to do that deflection is called a 11:02:04</p> <p>9 deflection yoke. 11:02:09</p> <p>10 THE INTERPRETER: One moment, please. 11:02:20</p> <p>11 THE WITNESS: Basically it uses the fundamentals 11:02:34</p> <p>12 of the electromagnetic coil. 11:02:40</p> <p>13 Q. BY MR. LAMBRINOS: And at what point in the 11:02:47</p> <p>14 deflection process is the deflection yoke applied to the 11:02:48</p> <p>15 tube? 11:02:52</p> <p>16 A. For the MTPD products, there were times when 11:03:24</p> <p>17 products were sold to customers without the deflection 11:03:28</p> <p>18 yoke, and there were times when the products were sold to 11:03:32</p> <p>19 customers with the deflection yoke. There were these two 11:03:35</p> <p>20 cases. And so for when the deflection yoke is applied, 11:03:40</p> <p>21 it is applied in the very last process. 11:03:43</p> <p>22 Q. Okay. In discussing the context in which the 11:03:46</p> <p>23 sales of tubes are combined with the deflection yoke to 11:03:50</p> <p>24 customers, at what point in the manufacturing process is 11:03:54</p> <p>25 the yoke applied? 11:03:57</p>
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<p>1 Q. Do you know what those reports were called? 10:58:22</p> <p>2 A. Well, I can't seem to remember it. I seem to 10:58:37</p> <p>3 have forgotten it. 10:58:42</p> <p>4 Q. Before we go on our break, which I promise we'll 10:58:43</p> <p>5 do in about ten minutes, I want to do some terminology 10:58:47</p> <p>6 just to make sure that we're all using the same terms. 10:58:51</p> <p>7 We've already talked about cathode ray tube and tubes. 10:58:55</p> <p>8 But now I want to know, when you describe the 10:58:59</p> <p>9 front of a CRT, do you use the term "panel" or "screen"? 10:59:00</p> <p>10 A. The glass part is a panel, and if a phosphor is 10:59:27</p> <p>11 applied, then it becomes a screen. 10:59:34</p> <p>12 Q. How would you define the term "glass bulb"? 10:59:38</p> <p>13 A. A bulb is where the glass panel and the glass 10:59:55</p> <p>14 funnel in the back are put together. 10:59:59</p> <p>15 Q. What does the term "deflection yoke" mean? 11:00:02</p> <p>16 A. Do you want the technical meaning of the 11:00:12</p> <p>17 deflection yoke? 11:00:14</p> <p>18 Q. Absolutely. 11:00:17</p> <p>19 A. Okay. Basically then when -- we have a CRT, on 11:00:18</p> <p>20 this side we have the glass panel and the screen. And on 11:00:35</p> <p>21 this other side, we have the electron gun. That is the 11:00:38</p> <p>22 basic structure. And if the appropriate voltage is 11:00:43</p> <p>23 applied to the electron gun, then the electron will go in 11:00:56</p> <p>24 a straight line. And in that condition, nothing -- no 11:01:01</p> <p>25 pictures will appear on the screen. 11:01:10</p>	<p>1 A. It's the very last process. It's the process 11:04:15</p> <p>2 immediately prior to when the product will be packed. 11:04:21</p> <p>3 Q. And is the application of the deflection yoke 11:04:24</p> <p>4 dependent in any way on the geography to which the tube 11:04:27</p> <p>5 is intended to be sold? 11:04:31</p> <p>6 A. When the deflection equipment was added -- or 11:04:47</p> <p>7 device was added to a CRT, for the most case, it was 11:05:08</p> <p>8 divided up either to the northern hemisphere of the globe 11:05:13</p> <p>9 or the southern hemisphere of the globe. That's how it 11:05:16</p> <p>10 was adjusted, for the most part. 11:05:19</p> <p>11 Q. So if a product was intended to be used in the 11:05:21</p> <p>12 northern hemisphere, it would require a specific 11:05:24</p> <p>13 application of the deflection yoke, which you would do at 11:05:27</p> <p>14 MTPD's factories before the product was sold? 11:05:30</p> <p>15 MR. YOHAI: Objection to the form of the 11:05:56</p> <p>16 question. 11:05:58</p> <p>17 You can answer. 11:06:00</p> <p>18 THE WITNESS: If the product was destined to be 11:06:02</p> <p>19 sold in the northern hemisphere, then the deflection yoke 11:06:17</p> <p>20 would be adjusted to the conditions of the northern 11:06:25</p> <p>21 hemisphere. 11:06:29</p> <p>22 Q. BY MR. LAMBRINOS: And are you aware that there 11:06:33</p> <p>23 are two digits relating to the deflection yoke in the 11:06:34</p> <p>24 product code that's used in your model number, in the 11:06:40</p> <p>25 uniform model number system you use for CRTs? 11:06:43</p>

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<p>1 A. Yes. In the WTDS numbering system, the last two 11:07:23</p> <p>2 numbers would be the numbers that we put in showing the 11:07:33</p> <p>3 adjusted deflection yoke in the CRT finished product. 11:07:37</p> <p>4 MR. LAMBRINOS: Okay. Mr. Tobinaga, I'm handing 11:08:02</p> <p>5 you and your counsel what's been previously marked as 11:08:04</p> <p>6 Exhibit 251. 11:08:07</p> <p>7 (Exhibit 251, Certificate of Accuracy, 7/10/12,</p> <p>8 previously marked for identification.)</p> <p>9 Q. BY MR. LAMBRINOS: And if you -- so that you 11:08:10</p> <p>10 know what this document is, if you were to unclip it, you 11:08:11</p> <p>11 would see that the Panasonic model number decoder, MTPD 11:08:15</p> <p>12 0652308 in Japanese is the main document. 11:08:19</p> <p>13 A. Okay. 11:08:55</p> <p>14 Q. On top of that, I have two sets of translations 11:08:55</p> <p>15 for specific pages of this document that we've had 11:08:58</p> <p>16 translated into English for convenience of counsel, but 11:09:01</p> <p>17 they're formal translations. 11:09:05</p> <p>18 A. Okay. 11:09:26</p> <p>19 Q. Okay. If you look at the -- if you take a look 11:09:27</p> <p>20 at the Japanese document, the large document, and you 11:09:29</p> <p>21 flip to page MTPD-0652314. 11:09:32</p> <p>22 A. Okay. 11:09:54</p> <p>23 Q. And do you see item 4.1, WTDS? Do you see that? 11:09:55</p> <p>24 A. Yes. 11:10:06</p> <p>25 Q. If you'd like to see it, and I'm pointing it out 11:10:07</p>	<p>1 not use this system for their CRT serial numbers? 11:13:16</p> <p>2 A. I am not at all. 11:13:28</p> <p>3 Q. Before we get into this, do you have a separate 11:13:29</p> <p>4 system for numbering television sets, CRT-based 11:13:32</p> <p>5 television sets? 11:13:37</p> <p>6 A. Well, at MTPD, if it were for televisions, then 11:14:09</p> <p>7 the first digit "M" would be "A" instead, if it were four 11:14:13</p> <p>8 to three. And if it were sixteen to nine, then it would 11:14:18</p> <p>9 be "W," according to my recollection. 11:14:21</p> <p>10 Q. I see. I think this is going to be more helpful 11:14:23</p> <p>11 if we go down each of the -- each of the specifics of the 11:14:27</p> <p>12 number, which is what I'd like to do. 11:14:30</p> <p>13 I promised a break. So after the break, we'll 11:14:32</p> <p>14 resume discussion on the model number decoder document. 11:14:35</p> <p>15 MR. YOHAI: That's fine. 11:14:42</p> <p>16 THE WITNESS: Okay. 11:14:57</p> <p>17 MR. LAMBRINOS: Okay. Let's take a break until 11:14:57</p> <p>18 11:30. 11:14:59</p> <p>19 (Recess.) 11:15:00</p> <p>20 Q. BY MR. LAMBRINOS: Mr. Tobinaga, when we left 11:30:53</p> <p>21 off from the break, we were discussing the model number 11:30:55</p> <p>22 decoder document. 11:30:59</p> <p>23 A. Yes. 11:31:08</p> <p>24 Q. And this is the unified global definition of CRT 11:31:09</p> <p>25 is based of the six model number components, and I'd like 11:31:13</p>
47	49
<p>1 so that we're all using the same page, the formal 11:10:09</p> <p>2 translation, the thicker one of those two, if you flipped 11:10:13</p> <p>3 to page MTPD-0652314E_translation will be the same page 11:10:15</p> <p>4 in English. 11:10:23</p> <p>5 Okay. So let's please discuss item 4.1, the 11:10:43</p> <p>6 WTDS model name. 11:10:47</p> <p>7 A. Okay. 11:10:55</p> <p>8 Q. First, can you tell me what the WTDS system of 11:10:55</p> <p>9 model names is and where -- and why MTPD uses this? 11:10:59</p> <p>10 A. From my recollection, what I remember is that 11:11:04</p> <p>11 there is a unified definition for the numbering, unified 11:11:35</p> <p>12 global definition for the numbering for the naming of 11:11:41</p> <p>13 CRTs. 11:11:44</p> <p>14 Q. What do you mean by "unified global definition"? 11:11:46</p> <p>15 A. It is that it's not only MTPD, but that for 11:11:54</p> <p>16 other companies, the numbering is done according to the 11:12:12</p> <p>17 same definition, according to my recollection. 11:12:16</p> <p>18 Q. Would those other companies include Samsung SDI? 11:12:18</p> <p>19 A. I did not confirm that that was specifically the 11:12:34</p> <p>20 case, but that is what I thought it was. 11:12:37</p> <p>21 Q. And would that also include all of the other 11:12:41</p> <p>22 makers of CRTs that you're aware of? 11:12:44</p> <p>23 A. Well, I don't have a recollection, but it would 11:13:07</p> <p>24 be my speculation that that was the case. 11:13:11</p> <p>25 Q. Are you aware of any CRT manufacturers that do 11:13:13</p>	<p>1 to go through them each one-by-one. 11:31:17</p> <p>2 A. Okay. 11:31:42</p> <p>3 Q. Okay. What does the number 1 with the circle, 11:31:43</p> <p>4 what does the first character in the model number 11:31:46</p> <p>5 designate and how is it used? 11:31:48</p> <p>6 A. In my recollection, this shows what the purpose, 11:32:09</p> <p>7 how that CRT is going to be used. 11:32:23</p> <p>8 THE INTERPRETER: Can the interpreter confirm 11:32:47</p> <p>9 what he has said? 11:32:49</p> <p>10 THE WITNESS: To say it simply: "M" stood for 11:32:52</p> <p>11 the computer monitor CRTs, "A" was for CRTs used for 11:33:00</p> <p>12 television, "W" was for CRTs that were used for the 11:33:05</p> <p>13 sixteen to nine sets. 11:33:10</p> <p>14 Q. BY MR. LAMBRINOS: So if it had an "M" and was 11:33:19</p> <p>15 destined for use in a monitor or an "A" and was destined 11:33:22</p> <p>16 for use in a TV, that would -- that would be indicated in 11:33:27</p> <p>17 the first model number, first character in the model 11:33:31</p> <p>18 number? 11:33:35</p> <p>19 A. Yes, that's right. 11:33:52</p> <p>20 Q. So in the example provided above, the "M" there 11:33:54</p> <p>21 means that -- under 4.1, the "M" there means monitor? 11:33:58</p> <p>22 A. Yes. 11:34:11</p> <p>23 Q. What does the second symbol mean, the next two 11:34:12</p> <p>24 digits? So in the example we're looking at, it says "M," 11:34:15</p> <p>25 and I'm looking at the -- I hope I'm looking -- I'm 11:34:19</p>

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1 looking at the bottom one. So M20 was the next two 11:34:22	1 question. I think it mischaracterizes his testimony. 11:41:30
2 digits in the code. And what do those two digits mean? 11:34:25	2 THE WITNESS: I don't know with a hundred 11:41:32
3 A. It shows in centimeters what the effective size 11:35:19	3 percent certainty whether they have "J" or not because I 11:41:58
4 on a diagonal of the CRT screen is. 11:35:24	4 didn't confirm them. But from my recollection, those 11:42:02
5 Q. And so in our example above, we would be looking 11:35:28	5 that were developed and applied for in Japan did have "J" 11:42:06
6 at a monitor or a CRT destined to be used in a monitor 11:35:32	6 on it. 11:42:12
7 with a 20-centimeter diagonal size; correct? 11:35:36	7 Q. BY MR. LAMBRINOS: What does the fourth 11:42:36
8 A. Yes. 11:35:40	8 designation mean? It's a two-digit number. 11:42:38
9 Q. What does the third set of characters, these 11:35:53	9 A. This is -- this indicates a small design element 11:43:07
10 three letters together in our example above, JQX, what 11:35:57	10 that has been registered in order. And for example, with 11:43:14
11 would that designate? 11:36:02	11 CRTs, there is a thing called an ear, which is a device 11:43:24
12 A. It is the code number, the symbol that in 11:36:03	12 for attaching things. And so the numbering would be in 11:43:31
13 general is put in for the major designs of the CRT in 11:36:34	13 order to say that that is an ear. 11:43:35
14 order. 11:36:40	14 Q. What does the fifth symbol designate, the two 11:43:37
15 Q. What does "JQX" mean in this example? 11:36:41	15 digits? 11:43:41
16 A. In my recollection, Japanese manufacturers 11:36:45	16 A. It is the phosphor type. It shows the type of 11:43:50
17 register -- are registered with the letter "J," and then 11:37:05	17 phosphor. 11:43:55
18 the next "QX" is basically what was designated in order 11:37:10	18 Q. What does "WW" designate there? 11:43:55
19 after that. 11:37:15	19 A. I don't have a lot of experience with "WW," but 11:44:11
20 Q. I guess I don't understand what the "QX" 11:37:26	20 when I look at what is written here, it says it's the 11:44:14
21 designation is. "J" means a Japanese manufacturer. What 11:37:28	21 black-and-white tube. 11:44:17
22 does the "QX" mean? 11:37:33	22 Q. What does the sixth symbol designate? 11:44:18
23 A. Looking at just the "QX," I also don't know what 11:37:59	23 A. This is the ITC. In other words, after the CRT 11:44:33
24 that would mean, but from what I understand what JQX 11:38:14	24 and the yoke have been assembled, this -- this indicates 11:44:38
25 would mean is basically those are the numbers that are 11:38:18	25 that that is that ultimated assembled form. 11:44:42
51	53
1 assigned based on the major design elements, like the 11:38:21	1 Q. And how would those two digits read if this were 11:44:53
2 screen size, whether it's flat, whether -- what the shape 11:38:31	2 a monitor destined for use in the United States? 11:44:55
3 is, whether it's square, it's circular, et cetera. 11:38:34	3 A. It's not possible to tell from this alone 11:45:14
4 Q. Okay. So in our example above, M20JQX so far 11:38:40	4 whether it's destined for the United States or where it's 11:45:17
5 means a monitor of 20 centimeters with a -- a monitor 11:38:46	5 destined for. 11:45:20
6 with a screen diagonal of 20 centimeters made by a 11:38:49	6 Q. Is it possible to tell whether it's destined for 11:45:21
7 Japanese manufacturer of certain design specification 11:38:55	7 North America or South America? 11:45:24
8 using "QX," which we cannot define at this point? 11:38:59	8 A. I can't tell from this alone. 11:45:30
9 A. It was registered in Japan. I don't think it 11:39:38	9 Q. How could you tell? 11:45:32
10 was that necessarily manufactured in Japan. I think it 11:39:52	10 MR. YOHAI: Objection to the form of the 11:45:34
11 means that it was registered in Japan. 11:39:54	11 question, calls for speculation. 11:45:36
12 Q. What does "registered in Japan" mean? 11:39:57	12 THE WITNESS: Well, it's actually opposite. In 11:46:15
13 A. This information is not a -- exact information. 11:40:00	13 designing the product, the product -- that the product is 11:46:19
14 I'm not sure about this information. But when one 11:40:36	14 destined for North America and is going to be in ITC and 11:46:26
15 registered -- well, for our company we would either go 11:40:39	15 the adjustments have made to that effect will be written 11:46:30
16 through some organization in Japan, or I don't know 11:40:43	16 in. And based on that, the application would be made and 11:46:33
17 whether it's directly through WTO, but we would need to 11:40:45	17 the numbering would be given. 11:46:38
18 make an application. 11:40:50	18 And then by looking at that numbering, you would 11:46:40
19 And because it's a Japanese company, it would 11:40:50	19 be able to match the numbering with the original design 11:46:44
20 end up with a "J." That's the image that I had when I 11:40:53	20 in order to tell. 11:46:47
21 was saying that. 11:40:57	21 Q. BY MR. LAMBRINOS: So in the example above, I 11:46:50
22 Q. So do all of the tubes that MTPD makes have a 11:40:58	22 know we were looking at the fourth items of M's there. 11:46:52
23 "J" designation as the first of those three digits in 11:41:03	23 But there's another monitor, the top monitor, and the 11:46:55
24 number -- in item number 3? 11:41:08	24 last two digits for that monitor are 07. And does that 11:46:59
25 MR. YOHAI: Objection to the form of the 11:41:28	25 ITC number there give you an indication of where the 11:47:04

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<p>1 monitor is going to be sold? 11:47:07</p> <p>2 A. No. 11:47:18</p> <p>3 Q. So where would it be written in that would -- 11:47:30</p> <p>4 you said it would be written in, and then based on that 11:47:34</p> <p>5 writing, you would know that a tube was destined for sale 11:47:37</p> <p>6 in the United States. Where would it be written in? 11:47:40</p> <p>7 MR. YOHAI: Objection to the form of the 11:47:58</p> <p>8 question, mischaracterizes his testimony. 11:48:00</p> <p>9 You can answer. 11:48:02</p> <p>10 THE WITNESS: In order to explain that, I'll 11:48:11</p> <p>11 have to go through the explanation again. But in -- 11:48:32</p> <p>12 behind all of these numberings, we have the design 11:48:38</p> <p>13 itself. And in the design, it would say whether it -- 11:48:41</p> <p>14 what kind of CRT it is, the technical numbers, the 11:48:46</p> <p>15 specifications of the CRT and whether it's an ITC, 11:48:50</p> <p>16 et cetera, also. They will all be part of the design. 11:48:54</p> <p>17 And then when that's done, there -- we have the 11:49:10</p> <p>18 specification, and then it's the WTC that we're going to 11:49:14</p> <p>19 have -- give the name. And we already have the technical 11:49:18</p> <p>20 specification in the numbering. So we would be able to 11:49:25</p> <p>21 tell by looking at those. 11:49:27</p> <p>22 Q. BY MR. LAMBRINOS: So can you give me an example 11:49:29</p> <p>23 of a specification that would tell you whether a tube was 11:49:30</p> <p>24 going to be sold in the United States? 11:49:33</p> <p>25 A. You're asking whether I can tell by looking at 11:49:49</p>	<p>1 Q. So if it was the NTSC system that was being used 11:52:25</p> <p>2 in the United States, then a TV -- a television set 11:52:29</p> <p>3 designed to meet the specifications of that system would 11:52:32</p> <p>4 be -- you would know that that product was going to be 11:52:37</p> <p>5 destined to be sold in the United States? 11:52:40</p> <p>6 A. The NTSC system was used in the United States 11:53:13</p> <p>7 and Japan. And was it the Philippines? I forgot. But 11:53:27</p> <p>8 the major markets were U.S. and Japan. So if it is an 11:53:31</p> <p>9 NTSC system, then you would know that the CRT was 11:53:35</p> <p>10 designed for the Japanese or the U.S. markets. 11:53:40</p> <p>11 Q. Are there any design specifications that are 11:53:44</p> <p>12 different from the Japanese market and the United States 11:53:47</p> <p>13 market? 11:53:50</p> <p>14 THE INTERPRETER: Can the interpreter confirm 11:54:13</p> <p>15 that? 11:54:15</p> <p>16 MR. LAMBRINOS: Please do. 11:54:15</p> <p>17 THE WITNESS: If it's the same type, for 11:54:17</p> <p>18 example, if it's a 29 inch, then from my recollection, 11:54:19</p> <p>19 they were basically the same. 11:54:23</p> <p>20 Q. BY MR. LAMBRINOS: And how do you keep track of 11:54:25</p> <p>21 the tubes that MTPD makes that are designed on the basis 11:54:28</p> <p>22 of the NTSC system? 11:54:33</p> <p>23 A. Well, the fact that the design is being made 11:55:14</p> <p>24 means that there was a request from a customer for that 11:55:18</p> <p>25 CRT. So the CRT would be designed for that customer, and 11:55:22</p>
55	57
<p>1 the numbering here? 11:49:52</p> <p>2 Q. No. I'm just asking in general if you can give 11:49:53</p> <p>3 me an example of how you would track the manufacturing of 11:49:55</p> <p>4 CRTs that are destined for sale in the United States and 11:49:58</p> <p>5 what system is being used to do that? 11:50:02</p> <p>6 MR. YOHAI: Objection to the form of the 11:50:22</p> <p>7 question. 11:50:25</p> <p>8 You can answer if you understand. 11:50:27</p> <p>9 THE WITNESS: I don't know whether I'm going to 11:50:41</p> <p>10 be able to describe it accurately, but for CRTs that are 11:50:44</p> <p>11 meant for the United States, in the design stage, 11:50:48</p> <p>12 elements that would make it appropriate for the American 11:50:52</p> <p>13 market would be included in the design stage. 11:50:55</p> <p>14 An easy example would be the TV -- television 11:51:21</p> <p>15 broadcasting system. In the United States, the system 11:51:27</p> <p>16 that is used is the NTSC broadcasting system. So when 11:51:27</p> <p>17 the CRT is being designed, it would be designed to work 11:51:32</p> <p>18 with the NTSC broadcasting system. So as long as it's 11:51:38</p> <p>19 designed that way, one would be able to enjoy the 11:51:43</p> <p>20 television in the United States without a problem. 11:51:46</p> <p>21 Q. BY MR. LAMBRINOS: Is it NTSC or NPSC? 11:51:48</p> <p>22 A. I think it is NTSC. I think it's the NTSC 11:51:54</p> <p>23 system. There was also the PAL, P-A-L, system, and the 11:52:14</p> <p>24 SECAM, S-E-C-A-M, system, the three major systems that 11:52:21</p> <p>25 existed at that point. 11:52:23</p>	<p>1 it would be manufactured in the United States or in Japan 11:55:27</p> <p>2 and then shipped to the customer. 11:55:30</p> <p>3 So the tracking should have been done at the 11:55:33</p> <p>4 location where it was -- at that local -- at that 11:55:38</p> <p>5 location. 11:55:42</p> <p>6 Q. And which Panasonic facilities would have been 11:55:43</p> <p>7 shipping CRT-based TVs and monitors into the United 11:55:48</p> <p>8 States? 11:55:55</p> <p>9 MR. YOHAI: Objection to the compound, TVs and 11:56:02</p> <p>10 monitors. 11:56:06</p> <p>11 You can answer, if you can. 11:56:07</p> <p>12 THE WITNESS: In regards to television, 11:56:31</p> <p>13 basically those that would be used in the United States 11:56:35</p> <p>14 were manufactured in the U.S., and those that were going 11:56:38</p> <p>15 to be used in Japan were manufactured in Japan. We 11:56:41</p> <p>16 divided them up clearly so we could manage it that way. 11:56:45</p> <p>17 You mentioned monitors, and as far as monitors 11:57:43</p> <p>18 are concerned, in the '80s, according to my recollection, 11:57:46</p> <p>19 we were still doing monitors for the U.S. 11:57:51</p> <p>20 So the CRTs that were manufactured in Japan were 11:57:54</p> <p>21 shipped to the U.S. That was in the '80s. But in the 11:57:57</p> <p>22 '90s, it was mostly Southeast Asia, like Taiwan and other 11:58:00</p> <p>23 countries, where the manufacturing was done. So there 11:58:04</p> <p>24 was no exporting that was done to the United States at 11:58:07</p> <p>25 all. 11:58:09</p>

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<p>1 Q. BY MR. LAMBRINOS: So if there were Panasonic 11:58:15</p> <p>2 subsidiaries that made televisions or monitors in the 11:58:19</p> <p>3 Americas and those facilities intended to ship CRT-based 11:58:24</p> <p>4 TVs and monitors into the United States, you would -- 11:58:33</p> <p>5 would you have a way to track serial numbers for specific 11:58:42</p> <p>6 tubes to the serial numbers for specific finished 11:58:46</p> <p>7 products made by those facilities? 11:58:50</p> <p>8 MR. YOHAI: Object to the form of the question, 11:59:44</p> <p>9 object to the phrase "in the Americas," as to what that 11:59:46</p> <p>10 means exactly. 11:59:49</p> <p>11 You can answer if you understand the question. 11:59:50</p> <p>12 THE WITNESS: I will answer according to what I 12:00:15</p> <p>13 was -- what I'm able to understand. 12:00:19</p> <p>14 Q. BY MR. LAMBRINOS: Okay. 12:00:21</p> <p>15 A. For CRTs and finished product TV sets, I have 12:00:32</p> <p>16 never heard and I don't have knowledge about monitors 12:00:38</p> <p>17 being manufactured in the United States. 12:00:43</p> <p>18 Q. Okay. 12:00:51</p> <p>19 A. And then as for TVs, there was a TV set factory 12:00:53</p> <p>20 in the United States in the '80s. I think it was in 12:01:18</p> <p>21 Chicago, there was a plant in Chicago. But at some point 12:01:21</p> <p>22 it was moved over to the Maquiladora. 12:01:25</p> <p>23 Q. Okay. Now, for -- let's start with TVs because 12:01:30</p> <p>24 I think there may have been a little confusion over the 12:01:32</p> <p>25 terminology. But let's start with TVs -- CRT-based TVs 12:01:35</p>	<p>1 Ohio. 12:05:39</p> <p>2 And if we would look at the WTS number and 12:05:39</p> <p>3 investigate, we would be able to tell whether it's a 12:05:45</p> <p>4 Toshiba design or a Panasonic design. You would be able 12:05:48</p> <p>5 to tell that immediately, and then we would be able to 12:05:52</p> <p>6 designate which factory it was manufactured at. 12:05:55</p> <p>7 Q. BY MR. LAMBRINOS: Can you give me an example of 12:06:01</p> <p>8 how you can determine whether it's a Toshiba versus a 12:06:03</p> <p>9 Panasonic design? 12:06:06</p> <p>10 THE INTERPRETER: Can the interpreter confirm 12:06:44</p> <p>11 something? 12:06:46</p> <p>12 THE WITNESS: If it were 2003, then the 12:07:02</p> <p>13 state-of-the-art TV was a 29-inch flat panel TV for which 12:07:07</p> <p>14 the CRT was being used, and the Panasonic technology that 12:07:10</p> <p>15 was being used was a special technology. It used an SSC 12:07:19</p> <p>16 mask. 12:07:23</p> <p>17 THE INTERPRETER: I'm sorry. 12:07:26</p> <p>18 THE WITNESS: SST mask. However, Toshiba used a 12:07:27</p> <p>19 shadow mask, a press -- a pressed shadow mask for the 12:07:30</p> <p>20 flat tube. 12:07:35</p> <p>21 Q. BY MR. LAMBRINOS: So through this process from 12:07:38</p> <p>22 the time period of 2003 to 2009, you would be able to 12:07:39</p> <p>23 trace a CR -- a CRT tube manufactured by MTPD by its 12:07:45</p> <p>24 serial number, its WTDS serial number, to specific 12:07:52</p> <p>25 finished products sold in the United States through the 12:07:57</p>
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<p>1 destined for sale in the United States. Is there a way 12:01:41</p> <p>2 to track the tube by serial number to the finished 12:01:44</p> <p>3 product of a CRT-based TV that's destined to be sold in 12:01:47</p> <p>4 the United States, and how would you do so? 12:01:52</p> <p>5 MR. YOHAI: Objection to the form of the 12:02:49</p> <p>6 question. Objection to the extent the question calls for 12:02:50</p> <p>7 information about finished products that may be outside 12:02:54</p> <p>8 the scope of the witness' knowledge or the topics that he 12:02:56</p> <p>9 is prepared for. 12:02:59</p> <p>10 I will let him answer if he understands with 12:03:00</p> <p>11 that objection. 12:03:03</p> <p>12 THE WITNESS: For example, let's say we have in 12:03:04</p> <p>13 front of us a TV set that was sold in the United States. 12:04:14</p> <p>14 Let's say we want to know where the CRT was manufactured. 12:04:18</p> <p>15 We would take apart the TV set, and we will look at the 12:04:21</p> <p>16 CRT, and on the CRT, there is a label. And on this label 12:04:25</p> <p>17 we have the WTS numbering, and also it says where it was 12:04:30</p> <p>18 made. It was made in Japan or it was made in the U.S. 12:04:36</p> <p>19 and if it says made in the U.S., we would be able to tell 12:04:39</p> <p>20 that it was made in the U.S. 12:04:43</p> <p>21 And then we will look at the fact that it was 12:05:17</p> <p>22 made in the United States, and if it were Panasonic -- if 12:05:21</p> <p>23 were MTPD joint -- if it were 2003, when there was still 12:05:26</p> <p>24 the joint venture with MTPD, then at that point there 12:05:30</p> <p>25 would have been two factories, one in New York, one in 12:05:35</p>	<p>1 process you've just described? 12:07:59</p> <p>2 MR. YOHAI: Objection. Objection to the form of 12:08:24</p> <p>3 the question. The WTDS is not a serial number; it's a 12:08:37</p> <p>4 model number. And I don't think that was his testimony, 12:08:41</p> <p>5 anyway. 12:08:45</p> <p>6 MR. LAMBRINOS: Go ahead and answer. 12:08:53</p> <p>7 THE WITNESS: Well, I'm not -- the meaning of 12:09:02</p> <p>8 the question has become less certain in my mind. I'm not 12:09:06</p> <p>9 sure that I understand. 12:09:09</p> <p>10 So to repeat, let's say we have a TV that was 12:09:29</p> <p>11 sold in the United States. We take it apart, then we see 12:09:33</p> <p>12 the CRT there, and we would be able to take -- tell the 12:09:36</p> <p>13 details of the design, the model number, and where it was 12:09:40</p> <p>14 manufactured, whether it was in the United States or 12:09:44</p> <p>15 Japan. 12:09:46</p> <p>16 Q. BY MR. LAMBRINOS: I think that's a -- I think 12:09:49</p> <p>17 that's a fair assessment. And then my next question, 12:09:51</p> <p>18 without repeating all of this, can the same process be 12:09:54</p> <p>19 done with CRT-based monitors? 12:09:57</p> <p>20 MR. YOHAI: Objection to the form of the 12:10:14</p> <p>21 question, and to the extent it calls for information on 12:10:15</p> <p>22 finished products beyond the scope of this witness' 12:10:18</p> <p>23 prepared testimony as a 30(b)(6) witness, you can answer 12:10:22</p> <p>24 from your personal knowledge, if you understand the 12:10:26</p> <p>25 question. 12:10:28</p>

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<p>1 THE WITNESS: For a monitor at the very least, 12:10:34</p> <p>2 as I said earlier, there are none that were manufactured 12:10:54</p> <p>3 in the U.S. 12:10:56</p> <p>4 Q. BY MR. LAMBRINOS: But if we were to take apart 12:10:58</p> <p>5 a monitor, we'd be able to tell where it was 12:11:00</p> <p>6 manufactured; is that correct? 12:11:03</p> <p>7 MR. YOHAI: Objection to the form. Calls for 12:11:12</p> <p>8 speculation. 12:11:14</p> <p>9 THE WITNESS: Honestly, I think it's better for 12:11:15</p> <p>10 me to say that I don't know. 12:11:26</p> <p>11 Q. BY MR. LAMBRINOS: Do CRT-based monitors -- do 12:11:31</p> <p>12 the CRT -- do the tubes in CRT-based monitors bear WTDS 12:11:35</p> <p>13 model numbers? 12:11:42</p> <p>14 A. Yes. 12:11:43</p> <p>15 Q. Do tubes used in CRT-based monitors indicate 12:11:56</p> <p>16 whether they are manufactured in Japan or the United 12:12:00</p> <p>17 States? 12:12:18</p> <p>18 A. Well, it was never manufactured in the U.S. So 12:12:18</p> <p>19 there wouldn't be an American one. 12:12:21</p> <p>20 Q. And do CRT-based monitors -- can you tell by 12:12:22</p> <p>21 looking at the tube of a CRT-based monitor whether it was 12:12:27</p> <p>22 manufactured by Toshiba or Panasonic during the joint 12:12:30</p> <p>23 venture time period? 12:12:35</p> <p>24 A. Well, the joint venture company, MTPD, 12:13:02</p> <p>25 entered -- had a contract that it would not engage in the 12:13:05</p>	<p>1 record. MTPD-0122906.xls. There is a column labeled 12:15:11</p> <p>2 "part number." So I'm going to ask some questions about 12:15:17</p> <p>3 these examples. Okay? 12:15:22</p> <p>4 A. Okay. 12:16:08</p> <p>5 MR. YOHAI: Counsel, just so I'm clear, your 12:16:09</p> <p>6 representation is that you've just copied and pasted this 12:16:11</p> <p>7 from some part of the sales database? 12:16:14</p> <p>8 MR. LAMBRINOS: Yeah. I've listed at the Bates 12:16:16</p> <p>9 Number at the top of the exhibit. 12:16:18</p> <p>10 MR. YOHAI: I've got that, sure. So it's just 12:16:19</p> <p>11 from the part number. 12:16:22</p> <p>12 MR. LAMBRINOS: Part number column. 12:16:23</p> <p>13 MR. YOHAI: Okay. And is the set that's labeled 12:16:26</p> <p>14 G, which is a little different maybe from that -- I don't 12:16:29</p> <p>15 know, I don't have it in front of me -- is that also from 12:16:32</p> <p>16 the same part number column? 12:16:34</p> <p>17 MR. LAMBRINOS: My understanding is that it is. 12:16:35</p> <p>18 MR. YOHAI: Okay. I'm just going to reserve an 12:16:40</p> <p>19 objection as to column G. I can't tell because I don't 12:17:34</p> <p>20 have it memorized whether or not that is a part number or 12:17:38</p> <p>21 model number or some other number. But the witness can 12:17:42</p> <p>22 answer to the best of his knowledge. 12:17:45</p> <p>23 MR. LAMBRINOS: Okay. Okay. So that wasn't a 12:17:46</p> <p>24 question. We were just explaining things to the witness. 12:18:12</p> <p>25 Q. So the first question is: In example set 1, 12:18:14</p>
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<p>1 monitor business. So it wasn't involved at all in 12:13:07</p> <p>2 monitors. 12:13:11</p> <p>3 Q. So as to TV sets, all of the CRTs destined for 12:13:17</p> <p>4 use in the United States would have the -- those 12:13:22</p> <p>5 characteristics which you've just described? 12:13:25</p> <p>6 MR. YOHAI: Objection. 12:13:39</p> <p>7 Q. BY MR. LAMBRINOS: I'm going to list them. The 12:13:40</p> <p>8 tube bears the WTDS model name. You can tell by looking 12:13:42</p> <p>9 at the tube whether it was manufactured in Japan or the 12:13:53</p> <p>10 United States. You can tell by looking at the tube 12:13:55</p> <p>11 whether it was manufactured by Toshiba or Panasonic 12:14:04</p> <p>12 during the joint venture period. 12:14:07</p> <p>13 A. For TVs; right? 12:14:23</p> <p>14 Q. For TVs. 12:14:24</p> <p>15 A. Yes. 12:14:25</p> <p>16 MR. LAMBRINOS: Okay. Thank you. 12:14:27</p> <p>17 Okay. I'm going to submit now -- 12:14:36</p> <p>18 (Exhibit 262, Modem Number Examples from</p> <p>19 MTPD-0122906, marked for identification.)</p> <p>20 Q. BY MR. LAMBRINOS: Handing you -- Mr. Tobinaga, 12:14:47</p> <p>21 I'm handing you what's just been marked as Exhibit 262. 12:14:48</p> <p>22 This is a set of example model numbers. Let me get to my 12:14:52</p> <p>23 page on here. These examples are all pulled by data 12:15:04</p> <p>24 provided from Panasonic. 12:15:07</p> <p>25 I'm going to read a Bates Number into the 12:15:09</p>	<p>1 which is under column A, we'd like to know -- we've just 12:18:19</p> <p>2 discussed that "M" stands for monitor and 41 indicates 12:18:22</p> <p>3 41-centimeter diagonal size. Now what I'd like to 12:18:26</p> <p>4 establish is what does "KXH" mean? 12:18:30</p> <p>5 A. I don't know what it is myself. 12:19:06</p> <p>6 Q. Can you figure it out by using this page that we 12:19:07</p> <p>7 were just looking at or anything in this document? 12:19:11</p> <p>8 MR. YOHAI: It's at the bottom here, 65234. 12:19:28</p> <p>9 THE WITNESS: I don't have -- I don't have any 12:19:37</p> <p>10 recollection. 12:19:40</p> <p>11 MR. YOHAI: Why don't you read it so you can 12:19:41</p> <p>12 answer his question. 12:19:43</p> <p>13 MR. LAMBRINOS: Yeah, take a couple minutes. If 12:19:44</p> <p>14 it's going to take longer than a couple minutes, then 12:19:46</p> <p>15 maybe we can set it aside for a question to be answered 12:19:49</p> <p>16 later. But if it's something that can be easily answered 12:19:53</p> <p>17 by looking at the document, we'd like an answer. 12:19:56</p> <p>18 MR. YOHAI: He wants you to read this page. 12:20:03</p> <p>19 Take your time to read it. Take a couple minutes. 12:20:11</p> <p>20 MR. LAMBRINOS: Take a couple minutes. 12:20:13</p> <p>21 If this is something that would be better to be 12:22:20</p> <p>22 answered informally through a letter, we can do that. If 12:22:22</p> <p>23 he's not being able to find it right now, we can move on. 12:22:26</p> <p>24 THE WITNESS: Here on the page 0652323, there 12:23:19</p> <p>25 are numbers that have KNGZ and others as well. So there 12:23:24</p>

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<p>1 are a number of them. And then on the next page, on 12:23:29</p> <p>2 0652324, there are the application series name and a 12:23:32</p> <p>3 series of numbers there. So I'm starting to have my 12:23:39</p> <p>4 doubts about whether "J" was indeed used for monitors. 12:23:46</p> <p>5 So that probably should be confirmed. 12:23:50</p> <p>6 Q. BY MR. LAMBRINOS: Okay. But does this page 12:23:54</p> <p>7 give you any indication of what "KXH" is supposed to 12:23:55</p> <p>8 mean? 12:24:00</p> <p>9 A. Not here. It does say at least that -- it does 12:24:23</p> <p>10 show at least that there's no "J" used, but there's no -- 12:24:26</p> <p>11 nothing about "KXH" here. 12:24:31</p> <p>12 Q. Do you think that it could be that JEDEC is 12:24:33</p> <p>13 assigning a value to the term "KXH" that may not be 12:24:38</p> <p>14 visible on the face of this document? 12:24:44</p> <p>15 A. So WTDS? 12:25:01</p> <p>16 Q. Well, do you -- how would we go about 12:25:04</p> <p>17 determining what the code "KXH" means? 12:25:07</p> <p>18 A. Well, I think there probably is a product 12:25:33</p> <p>19 registration list so that would need to be looked at. 12:25:36</p> <p>20 But sorry, I really don't have a lot of knowledge about 12:25:41</p> <p>21 that. 12:25:45</p> <p>22 Q. Okay. And again, when we're looking at the last 12:25:45</p> <p>23 two digits, we understand that these represent the 12:25:48</p> <p>24 deflection yoke. And just so I'm clear, is there 12:25:55</p> <p>25 anything about those two digits that tells us about the 12:25:59</p>	<p>1 quotes, B-A-R-E? 12:28:22</p> <p>2 A. In here after the "X," there is nothing written. 12:28:25</p> <p>3 So from that, we can tell that it is a bare CPT. 12:29:07</p> <p>4 Q. Thank you. In example set 3, based on what 12:29:12</p> <p>5 we've already talked about, we're looking an A60 as the 12:29:17</p> <p>6 first three characters. And does that mean that this is 12:29:21</p> <p>7 a tel- -- a CRT for use in TVs at a 60-centimeter 12:29:24</p> <p>8 diagonal? 12:29:33</p> <p>9 A. Yes, that's correct. 12:29:47</p> <p>10 Q. And for terminology, we would call that a 12:29:57</p> <p>11 60-centimeter CPT, or color picture tube; correct? 12:30:00</p> <p>12 A. Yes. 12:30:05</p> <p>13 Q. Okay. As we go down to the next section of 12:30:11</p> <p>14 numbers under example set 3, there's an M68. That code 12:30:15</p> <p>15 indicates a 68-centimeter CDT, or a color display tube; 12:30:20</p> <p>16 is that correct? 12:30:25</p> <p>17 A. Yes. 12:30:55</p> <p>18 Q. Okay. Does the common -- okay, we're looking at 12:30:56</p> <p>19 the next -- we're looking at M68 for the next -- the same 12:31:01</p> <p>20 item, for example. It says M68. The next three letters 12:31:04</p> <p>21 are "LQK." 12:31:07</p> <p>22 Does "LQK" indicate that -- what does the term 12:31:11</p> <p>23 "LQK" indicate, if anything? And let me clarify. The 12:31:18</p> <p>24 first item on example set 3 is an A60 LQK 185X, and the 12:31:35</p> <p>25 item we're talking about now is an M68 LQK 125X. And 12:31:42</p>
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<p>1 geography where the tube is going to be made or used, 12:26:01</p> <p>2 excuse me, destined to be used? 12:26:05</p> <p>3 A. So as I said, here the only way it's possible to 12:26:36</p> <p>4 tell that is to look at the original spec data that was 12:26:40</p> <p>5 used for the application. 12:26:44</p> <p>6 Q. And by looking at the original spec data, you 12:26:46</p> <p>7 can tell if the product was going to be destined for the 12:26:49</p> <p>8 United States? 12:26:52</p> <p>9 A. Whether I can tell if it's destined for the 12:26:52</p> <p>10 United States or not, well, at least I think you can tell 12:27:21</p> <p>11 if it's destined for the north or not. I'm sorry, this 12:27:25</p> <p>12 is a speculation. 12:27:28</p> <p>13 Q. Okay, if we look at example set 2, those numbers 12:27:30</p> <p>14 begin with a "W." What does the "W" mean there? 12:27:36</p> <p>15 A. It's the wide tubes. It's the 16 to 9 wide 12:27:39</p> <p>16 tubes. 12:27:52</p> <p>17 Q. Okay. Thank you. 12:27:53</p> <p>18 And you can call that a wide-screen tube; 12:27:59</p> <p>19 is that correct? 12:28:04</p> <p>20 A. Yes. 12:28:04</p> <p>21 Q. Sorry. Going back to the deflection yoke 12:28:06</p> <p>22 number, we noticed that there are some serial numbers 12:28:09</p> <p>23 that don't have that number, where that number is 12:28:12</p> <p>24 missing. And when that occurs, do you -- is the correct 12:28:14</p> <p>25 terminology to say that that tube is shipping bare, in 12:28:18</p>	<p>1 what I'm driving is: Are these tubes or the 12:31:50</p> <p>2 specifications for these tubes substantially similar and 12:31:53</p> <p>3 can you tell that by seeing the term "LQK" in the model 12:31:56</p> <p>4 code number? 12:32:00</p> <p>5 MR. YOHAI: Objection to the form of the 12:32:42</p> <p>6 question. 12:32:44</p> <p>7 MR. LAMBRINOS: Go ahead and answer. 12:32:48</p> <p>8 THE WITNESS: I won't be able to tell without 12:32:52</p> <p>9 looking into it. 12:32:54</p> <p>10 Q. BY MR. LAMBRINOS: Okay. We'll save that for 12:32:56</p> <p>11 later. 12:32:59</p> <p>12 In example set 4, which is the next column, in 12:33:00</p> <p>13 the second item down in parens has the abbreviation "PF." 12:33:05</p> <p>14 Does that mean pure flat? 12:33:09</p> <p>15 A. Yes. It is, it is pure flat. 12:33:27</p> <p>16 Q. If a product lacks the "PF" designation, does it 12:33:30</p> <p>17 mean it is a round CRT? 12:33:34</p> <p>18 A. That would be different by case -- that would be 12:33:49</p> <p>19 different case-by-case, and I can't tell. 12:33:55</p> <p>20 Q. Okay. Do both the "WD" code and the "W" code 12:34:02</p> <p>21 indicate wide-screen aspect ratio? 12:34:21</p> <p>22 A. Following along how this, the line of these 12:34:43</p> <p>23 things, the speculation would be that "WD" means wide. 12:34:47</p> <p>24 Q. Okay. Do 50 hertz and 100 hertz indicate 12:34:55</p> <p>25 scanning frequency? So if you look at the seventh and 12:34:59</p>

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<p>1 eighth items, the seventh item in example set 4 is a 12:35:04</p> <p>2 28-inch TV with a hundred hertz, and the next item is 12:35:10</p> <p>3 28-inch TV with 50 hertz. 12:35:15</p> <p>4 Is that scanning frequency? 12:35:18</p> <p>5 A. In a similar fashion, looking at this, what this 12:36:03</p> <p>6 label would mean is the frequency of vertical scanning. 12:36:07</p> <p>7 Q. Okay. Would all 50-hertz CRTs be shipped to 12:36:14</p> <p>8 Europe? 12:36:17</p> <p>9 A. The vertical frequency, according to the system 12:36:35</p> <p>10 that I mentioned earlier, is different. The NTSC is 60 12:36:43</p> <p>11 hertz. The PAL SECAM is 50 hertz. 12:36:49</p> <p>12 Q. So does every CRT with a 50-hertz -- does every 12:36:54</p> <p>13 50-hertz CRT get shipped to Europe -- or sorry, South 12:36:59</p> <p>14 America? 12:37:12</p> <p>15 A. South America? 12:37:12</p> <p>16 Q. Excuse me. Does every 50-hertz CRT get sent -- 12:37:13</p> <p>17 shipped to Europe? 12:37:17</p> <p>18 A. As I said earlier, if it uses PAL OR SECAM, then 12:37:38</p> <p>19 it's 50 hertz. China uses PAL. Russia uses SECAM. 12:37:46</p> <p>20 Europe is 50. So in those areas, there's a possibility 12:37:52</p> <p>21 that they would be sold there. 12:37:56</p> <p>22 And these are the wide tubes, so although I 12:38:07</p> <p>23 don't know what time period it is, if it's a market that 12:38:11</p> <p>24 use -- that handles the wide tubes, then there's a 12:38:16</p> <p>25 possibility that they were sold there. 12:38:20</p>	<p>1 describe CRT products and their major design 12:41:53</p> <p>2 specifications? 12:41:58</p> <p>3 A. Is it -- is it fine for me to understand your 12:42:25</p> <p>4 question to mean -- to refer to a -- some type of a 12:42:34</p> <p>5 document that would designate it how model numbers and 12:42:38</p> <p>6 other numbers are set? 12:42:42</p> <p>7 Q. Yes. 12:42:45</p> <p>8 A. Then in that case, this would be the only one. 12:42:47</p> <p>9 My understanding is that this display device product 12:42:57</p> <p>10 naming convention or this document is the only thing -- 12:43:04</p> <p>11 basically the only thing there is. 12:43:12</p> <p>12 Q. What about a product registration list? 12:43:23</p> <p>13 A. That might -- may have existed somewhere, but I 12:43:34</p> <p>14 don't have recollection of it. 12:43:39</p> <p>15 Q. Who would? 12:43:40</p> <p>16 A. It was the departments or the organizations that 12:43:41</p> <p>17 kept track of that. So it would have been the quality 12:43:54</p> <p>18 organizations that would have kept track of it. 12:43:57</p> <p>19 Q. The quality organization of MTPD? 12:43:59</p> <p>20 A. Yes. During the Panasonic days and during the 12:44:11</p> <p>21 MTPD days as well, it was the quality department that 12:44:14</p> <p>22 would have managed that. 12:44:18</p> <p>23 Q. I want to make sure we're getting the right 12:44:19</p> <p>24 translation here. This is the quality department; is 12:44:22</p> <p>25 that it? 12:44:24</p>
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<p>1 Q. And for all of the 100-hertz CRTs, are they all 12:38:22</p> <p>2 shipping to Europe or are they shipping to other places? 12:38:26</p> <p>3 A. One thing I do remember that's not in this 12:38:51</p> <p>4 category is that I do remember one that was being sold in 12:38:54</p> <p>5 China for a hundred hertz, 29 inches in this 12:38:57</p> <p>6 specification. 12:39:01</p> <p>7 Q. Okay. But just so that -- so then CRTs with a 12:39:11</p> <p>8 hundred hertz would be sold either in China or Europe? 12:39:23</p> <p>9 A. Well, without tracing it, I wouldn't be able to 12:39:57</p> <p>10 tell. China was an example, but depending on the time 12:40:05</p> <p>11 period, in Southeast Asia, PAL was also used. So it 12:40:09</p> <p>12 could have been Southeast Asia. 12:40:13</p> <p>13 The broadcast system is set by the country so I 12:40:15</p> <p>14 wouldn't be able to tell without checking into that. 12:40:18</p> <p>15 Q. Does the term "INV" -- and these are -- if you 12:40:22</p> <p>16 were to go down to the 16th and 17th -- I'm sorry, yeah, 12:40:26</p> <p>17 the 18th and 19th item, "INV" indicate invar mask? 12:40:30</p> <p>18 A. Going along in the similar fashion, in the 12:41:02</p> <p>19 similar order as before then, then "INV" would be invar 12:41:05</p> <p>20 mask -- invar mask and "IRON" would be iron mask. 12:41:10</p> <p>21 Q. And what does "fine" mean? 12:41:15</p> <p>22 A. That means the mask hole or aperture pitch is 12:41:23</p> <p>23 very fine. 12:41:29</p> <p>24 Q. Did Panasonic maintain any documents other than 12:41:45</p> <p>25 the model number decoder we've been looking at that helps 12:41:48</p>	<p>1 MR. LEHMAN: Quality control. 12:44:27</p> <p>2 MR. LAMBRINOS: Quality control. 12:44:28</p> <p>3 THE WITNESS: It's quality technology. 12:44:30</p> <p>4 Q. BY MR. LAMBRINOS: Quality technology. Who was 12:44:38</p> <p>5 in charge of the quality technology department at MTPD 12:44:34</p> <p>6 during the 2004 to 2006 and then 2006 to 2011? 12:44:38</p> <p>7 A. For 2003, 4, 5, I think it would have been a 12:45:10</p> <p>8 Kamimura, but I'm not sure. I would have to look at -- I 12:45:17</p> <p>9 would have to research it to see if that's accurate. 12:45:21</p> <p>10 Q. Okay. We'd like that. 12:45:27</p> <p>11 Are there any product cross-reference guides? 12:45:34</p> <p>12 A. What does that mean? I'm not sure I understand. 12:45:45</p> <p>13 Q. Well, we're looking to see if there are other 12:45:47</p> <p>14 documents where we can link together the product -- the 12:45:51</p> <p>15 design specifications and the model codes, and I'm 12:45:56</p> <p>16 wondering if you've seen documents called product 12:46:00</p> <p>17 cross-reference guides that might help us do this. 12:46:03</p> <p>18 A. I don't really recall anything like that. 12:46:36</p> <p>19 Q. When a customer issued a request for a certain 12:46:41</p> <p>20 number of tubes to MTPD, can you tell from that 12:46:52</p> <p>21 customer -- would that customer request include specific 12:46:57</p> <p>22 design specifications? 12:47:04</p> <p>23 A. In conducting business with the customers, first 12:47:41</p> <p>24 of all, we would provide them a sample of a product that 12:47:44</p> <p>25 would have the type of thing that they're asking for. 12:47:48</p>

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<p>1 And once they approve it, then that's the first time that 12:47:51</p> <p>2 we'll actually start the production. And so in the 12:47:55</p> <p>3 process of receiving the approval, we will discuss the 12:47:58</p> <p>4 specifications. 12:48:05</p> <p>5 Q. And you can tell on the basis of those design 12:48:06</p> <p>6 specifications whether this -- whether these tubes are 12:48:08</p> <p>7 destined for use in the United States; is that correct? 12:48:11</p> <p>8 MR. YOHAI: Objection to the form of the 12:48:23</p> <p>9 question. 12:48:24</p> <p>10 You can answer. 12:48:24</p> <p>11 THE WITNESS: It's not possible to tell if it's 12:48:47</p> <p>12 destined to the United States just from looking at the 12:48:50</p> <p>13 CRT. The customer would have the specification that they 12:48:52</p> <p>14 want. And then if we look at that, compare that with the 12:48:54</p> <p>15 specification of the CRT, then we would be able to tell. 12:49:00</p> <p>16 Q. BY MR. LAMBRINOS: Through the combination of 12:49:02</p> <p>17 those two items, we can tell if the CRT is destined for 12:49:04</p> <p>18 use in the United States? 12:49:09</p> <p>19 A. Basically with CRTs are made to order 12:49:55</p> <p>20 components. So then we would be able to tell by looking 12:49:58</p> <p>21 at the request -- the requested specification if it's 12:50:14</p> <p>22 destined for the United States, and then we can go -- if 12:50:20</p> <p>23 we know what the specification is, we can go find a CRT 12:50:26</p> <p>24 that meets that specification, and then we would know 12:50:29</p> <p>25 that's destined for the United States. Basically CRTs 12:50:32</p>	<p>1 Q. Yes. Who made it? 12:53:43</p> <p>2 A. This was made by the person who was assigned to 12:53:55</p> <p>3 the quality technology organization that I mentioned 12:53:59</p> <p>4 earlier. 12:54:02</p> <p>5 Q. Do you know that person's specific name and when 12:54:03</p> <p>6 this document would have been created? 12:54:06</p> <p>7 A. Here it says that -- we can tell by looking at 12:54:41</p> <p>8 the date here. It says that it was first published in 12:54:44</p> <p>9 1983. So it's quite old. So over the course of 12:54:47</p> <p>10 20 years, it was revised several times. So it's quite 12:54:50</p> <p>11 old. 12:54:53</p> <p>12 Q. But those revisions would have been made to this 12:54:53</p> <p>13 document, and is it your testimony that there were no 12:54:56</p> <p>14 other model number decoders besides this one used from 12:54:58</p> <p>15 1983 to the present? 12:55:04</p> <p>16 MR. YOHAI: Counsel, I am aware that there were 12:55:27</p> <p>17 maybe some amendments that we produced to you guys. 12:55:30</p> <p>18 MR. LAMBRINOS: Okay. 12:55:33</p> <p>19 MR. YOHAI: I don't know what -- you know, the 12:55:33</p> <p>20 extent of them, but there are a couple, I think. 12:55:35</p> <p>21 THE WITNESS: This document, this model number 12:56:39</p> <p>22 decoder, although I don't know for sure when it started, 12:56:41</p> <p>23 but at least when I started in the CRT business at 12:56:47</p> <p>24 Matsushita, I was aware that such a document existed. 12:56:55</p> <p>25 Q. BY MR. LAMBRINOS: And it's used in the ordinary 12:56:58</p>
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<p>1 are not readymade. They are made to order. 12:50:35</p> <p>2 Q. And how do you track -- and then going one step 12:50:42</p> <p>3 further from there, you track the revenue of CRTs sold 12:50:45</p> <p>4 in -- destined for sale in each of the various 12:50:49</p> <p>5 geographies separately? 12:50:53</p> <p>6 A. As you say, we -- from the business perspective, 12:51:13</p> <p>7 management perspective, we look at it separately by 12:51:24</p> <p>8 region. 12:51:27</p> <p>9 Q. And that would include a separate analysis of 12:51:28</p> <p>10 the sales of CRTs into the U.S. market? 12:51:31</p> <p>11 A. Basically as of 2003 in the U.S. region, we had 12:52:10</p> <p>12 New York and Ohio, and the business results would be 12:52:31</p> <p>13 checked. And most of that were sold in NAFTA countries 12:52:37</p> <p>14 and South America. So we would assume that those were 12:52:43</p> <p>15 the business results for them. 12:52:48</p> <p>16 MR. LAMBRINOS: Okay. Let me make sure I'm done 12:53:02</p> <p>17 here. 12:53:04</p> <p>18 MR. YOHAI: It's about 5 to 1:00. 12:53:20</p> <p>19 MR. LAMBRINOS: I hear you. I'm going to break 12:53:21</p> <p>20 for lunch as soon as I make sure I'm done with the model 12:53:24</p> <p>21 number decoder. 12:53:27</p> <p>22 MR. YOHAI: Okay. 12:53:28</p> <p>23 Q. BY MR. LAMBRINOS: Where did this model number 12:53:32</p> <p>24 decoder come from? 12:53:35</p> <p>25 A. Are you asking me about this document? 12:53:41</p>	<p>1 course of business in your scope of duties as president 12:57:00</p> <p>2 of MTPD during your tenure at MTPD? 12:57:05</p> <p>3 A. It is being used, but it goes around without 12:57:25</p> <p>4 actually having me look at it. So the business is 12:57:31</p> <p>5 conducted outside of where I am looking at it. 12:57:36</p> <p>6 Q. Regardless of whether you see it, it is used in 12:57:40</p> <p>7 the ordinary course of business at MTPD? 12:57:45</p> <p>8 A. Yes. The person who is assigned to it would use 12:58:00</p> <p>9 it. 12:58:04</p> <p>10 MR. LAMBRINOS: Okay. Thank you. I think we 12:58:04</p> <p>11 should go ahead and take a lunch break for an hour. 12:58:06</p> <p>12 MR. YOHAI: Just one second, Counsel. I have 12:58:09</p> <p>13 almost exactly 1 o'clock. So I have that we used 6 hours 12:58:11</p> <p>14 and 15 minutes on the first day, an hour and 45 minutes 12:58:16</p> <p>15 this morning, and then just an hour and 30 minutes in 12:58:19</p> <p>16 this latest session, for a total of nine hours and 12:58:22</p> <p>17 30 minutes to this point. 12:58:26</p> <p>18 MR. LAMBRINOS: Okay. 12:58:27</p> <p>19 MR. YOHAI: Does Counsel agree with that 12:58:28</p> <p>20 calculation? 12:58:30</p> <p>21 MR. LAMBRINOS: When we did pick up from today? 12:58:30</p> <p>22 We started at 11 -- 12:58:32</p> <p>23 MR. YOHAI: 11:30 exactly. And we've now run 12:58:34</p> <p>24 until 1 o'clock. 12:58:38</p> <p>25 MR. LAMBRINOS: And we started at 11:30. 12:58:39</p>

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<p>1 MR. YOHAI: Yeah. 12:58:41</p> <p>2 MR. LAMBRINOS: All right. Then I'm going to 12:58:42</p> <p>3 agree with that, then. 12:58:44</p> <p>4 MR. YOHAI: Okay, very good. 12:58:46</p> <p>5 MR. LAMBRINOS: Okay. Should we go to lunch for 12:58:47</p> <p>6 an hour and come back at 2:00? 12:58:49</p> <p>7 MR. YOHAI: Yeah. 12:58:50</p> <p>8 (Lunch recess.) 13:33:20</p> <p>9 MR. LAMBRINOS: So we're back on the record 13:59:54</p> <p>10 after lunch, and I think the interpreter wanted to add a 13:59:56</p> <p>11 clarification. 13:59:59</p> <p>12 THE INTERPRETER: The interpreter had earlier 14:00:00</p> <p>13 interpreted an organization name as the quality 14:00:03</p> <p>14 engineering organization, but she thinks that quality 14:00:07</p> <p>15 engineering is probably more appropriate. 14:00:10</p> <p>16 MR. LAMBRINOS: Excuse me. What is more 14:00:12</p> <p>17 appropriate? 14:00:14</p> <p>18 THE INTERPRETER: Quality engineering 14:00:16</p> <p>19 organization. 14:00:17</p> <p>20 MR. LAMBRINOS: As opposed to what? 14:00:18</p> <p>21 THE INTERPRETER: Quality technology 14:00:20</p> <p>22 organization. 14:00:22</p> <p>23 MR. LAMBRINOS: Thank you. 14:00:24</p> <p>24 Q. Mr. Tobinaga -- 14:00:26</p> <p>25 A. Yes. 14:00:27</p>	<p>1 was it 6 inches, was also manufactured. 14:03:10</p> <p>2 Q. What types of specifications differentiate one 14:03:13</p> <p>3 CPT from another? For example, mask type or codings or 14:03:16</p> <p>4 screen shape, and are there others? 14:03:23</p> <p>5 A. Generally between the two panels, there would be 14:04:19</p> <p>6 the shadow mask that had already been formed that was 14:04:29</p> <p>7 placed within it, and that was what a CPT was. There was 14:04:29</p> <p>8 the wide-form 29 inch in super large, which we called 14:04:34</p> <p>9 semi-tension mask, which was a CPT that MTPD itself 14:04:40</p> <p>10 manufactured. 14:04:47</p> <p>11 Q. And screen shape? 14:04:48</p> <p>12 A. It was flat, and it was an SST. 14:04:52</p> <p>13 Q. Did MTPD ever manufacture CPTs that had a normal 14:05:05</p> <p>14 shape or a slim shape? 14:05:11</p> <p>15 A. I don't really have recollection of 14:05:31</p> <p>16 manufacturing slim after MTPD came into existence, but 14:05:34</p> <p>17 the round type, the round type, I do have experience of 14:05:43</p> <p>18 having that being manufactured. 14:05:48</p> <p>19 Q. A quick question about the deflection yoke. If 14:05:51</p> <p>20 it was pinned so that it would enable a CPT to be used in 14:05:54</p> <p>21 North America, was there a cost associated with changing 14:05:59</p> <p>22 the pin so that that could be -- that CPT could be used 14:06:03</p> <p>23 in the south -- in the southern hemisphere? 14:06:08</p> <p>24 A. Generally there would be a cost. 14:06:34</p> <p>25 Q. What would that cost -- how would you describe 14:06:36</p>
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<p>1 Q. -- did you discuss this case with anybody over 14:00:28</p> <p>2 the lunch break? 14:00:32</p> <p>3 A. No, I didn't at all. 14:00:41</p> <p>4 Q. Mr. Tobinaga, I'm going to go on to -- what's 14:00:46</p> <p>5 been outlined as topic number 2 or identified as topic 14:00:52</p> <p>6 number 2 in the deposition notice. And this is the 14:00:56</p> <p>7 identity and general description of CRT products you 14:00:58</p> <p>8 manufactured. And I'm going to go over some of these 14:01:03</p> <p>9 just to lay the record, and I hope that we're not 14:01:08</p> <p>10 retreading too much ground, but I think they're pretty 14:01:12</p> <p>11 simple.</p> <p>12 So the first question: Did MTPD manufacture 14:01:14</p> <p>13 CPTs? 14:01:20</p> <p>14 A. Yes, it did. 14:01:42</p> <p>15 Q. Over what time period? 14:01:57</p> <p>16 THE INTERPRETER: Can the interpreter clarify 14:02:13</p> <p>17 something? 14:02:15</p> <p>18 MR. LAMBRINOS: Yes. 14:02:15</p> <p>19 THE WITNESS: It started in April 2004 in MTPD 14:02:20</p> <p>20 and it continued through 2009 until it ended in the 14:02:26</p> <p>21 factory in Peking. 14:02:29</p> <p>22 Q. BY MR. LAMBRINOS: What size range of CPTs did 14:02:34</p> <p>23 Panasonic manufacture during this time? 14:02:38</p> <p>24 A. The main types were 14 inch through 38 inch and 14:03:00</p> <p>25 though it was only a few, the smaller size, 5 inches, or 14:03:04</p>	<p>1 that cost? What are the components of that cost? 14:06:39</p> <p>2 A. When the screen surface is being made, it will 14:07:02</p> <p>3 be exposed. There is an exposure process, and for the 14:07:07</p> <p>4 exposure process, a lens is necessary. What is used for 14:07:10</p> <p>5 the northern market -- the lens that is used for the 14:07:16</p> <p>6 northern market is different from the lens that is used 14:07:20</p> <p>7 for the southern market. So there is a cost that would 14:07:23</p> <p>8 be incurred in order to develop the lens. 14:07:27</p> <p>9 Q. And how significant is that cost compared to the 14:07:29</p> <p>10 cost of manufacturing a CRT or a CPT? 14:07:32</p> <p>11 A. It was not that significant. I don't remember 14:07:53</p> <p>12 exactly, but I think it was less than 1 percent of the 14:07:58</p> <p>13 total cost for manufacturing one unit. 14:08:02</p> <p>14 Q. And how much labor would it take to change the 14:08:06</p> <p>15 pinning of the deflection yoke? 14:08:10</p> <p>16 A. Changing the deflection yoke, do you mean 14:08:26</p> <p>17 changing the design of the deflection yoke? 14:08:30</p> <p>18 Q. Well, yes. To change the -- to make the CPT 14:08:32</p> <p>19 adaptable to the southern hemisphere as opposed to the 14:08:36</p> <p>20 northern hemisphere, what labor is required if you were 14:08:40</p> <p>21 to alter it in that manner? 14:08:42</p> <p>22 A. Well, in my recollection, the deflection yoke 14:09:32</p> <p>23 that is used in the northern hemisphere and the southern 14:09:38</p> <p>24 hemisphere were basically using the same components, but 14:09:42</p> <p>25 as I explained earlier, it's the exposure system that 14:09:45</p>

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<p>1 would have to be changed for the southern hemisphere. 14:09:48</p> <p>2 So it would be necessary to change that, that 14:09:53</p> <p>3 type that was being used. So effort would be -- or labor 14:09:59</p> <p>4 would involve changing the exposure system to meet that. 14:10:03</p> <p>5 Q. And how long would that take for any given CPT? 14:10:08</p> <p>6 A. Well, the exposure unit will be set, and it 14:10:58</p> <p>7 takes until around -- it takes around 15 hours until that 14:11:04</p> <p>8 is completed. So the exposure unit has been changed. 14:11:08</p> <p>9 Then in order to confirm that the performance is what it 14:11:13</p> <p>10 should be, we would have to wait 16 hours, and after we 14:11:19</p> <p>11 can confirm that there is no problem, then it would be 14:11:25</p> <p>12 exposed. 14:11:27</p> <p>13 So together with a confirmation, I think at the 14:11:29</p> <p>14 shortest, it would take 20 hours. 14:11:31</p> <p>15 Q. And how long does it take in general to 14:11:34</p> <p>16 manufacture -- well, no. Scratch that. 14:11:36</p> <p>17 Ignoring the differences in the deflection yoke 14:11:38</p> <p>18 and how it is pinned, how many different models of CPT 14:11:41</p> <p>19 did Panasonic make for a given size? For example, did 14:11:44</p> <p>20 you have a basic 21-inch model of funnel, panel, and mask 14:11:51</p> <p>21 gun, or were there different models of a 21-inch CPT? 14:11:55</p> <p>22 A. Then going along with the 21-inch example that 14:12:57</p> <p>23 you have mentioned, in a 21 inch, there would be the -- 14:13:02</p> <p>24 first of all, the shape of the panel, whether it is round 14:13:05</p> <p>25 or flat, and then the mask formation shape will be set 14:13:08</p>	<p>1 exactly, but I think there were several dozen. 14:15:53</p> <p>2 Q. Within a given size of CPT, which specifications 14:15:57</p> <p>3 would have the most significant effect on Panasonic's 14:16:00</p> <p>4 production cost? 14:16:04</p> <p>5 A. Of the total cost, the material cost was around 14:16:40</p> <p>6 70 percent, and of that 70 percent was for glass, the 14:16:44</p> <p>7 cost for panel and funnels. So I think I can say that 14:16:49</p> <p>8 approximately half the cost was for glass. 14:16:53</p> <p>9 Q. And how would the price of a CPT change if the 14:16:58</p> <p>10 production cost of the glass were to increase? 14:17:03</p> <p>11 A. As a manufacturer, it would be nice if the 14:17:30</p> <p>12 material cost and the CPT costs were linked. However, 14:17:33</p> <p>13 the reality was that the CPT cost was determined by the 14:17:37</p> <p>14 CPT market, and the material cost was determined by the 14:17:42</p> <p>15 material market. 14:17:46</p> <p>16 Q. What did you do to track the CPT market? 14:17:56</p> <p>17 A. Basically I checked the movements of the market 14:18:20</p> <p>18 by looking at the customer information as well as those 14:18:24</p> <p>19 from research companies. 14:18:28</p> <p>20 Q. Would you keep track of the supply of CPTs 14:18:33</p> <p>21 entering into the global market? 14:18:38</p> <p>22 A. The global market really was too large. We 14:19:02</p> <p>23 received information or we got information from research 14:19:06</p> <p>24 companies by the local regions. 14:19:11</p> <p>25 Q. Would -- what would that information tell you? 14:19:14</p>
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<p>1 depending on the shape of the panel. 14:13:21</p> <p>2 And then in the funnel part, there is the 14:13:33</p> <p>3 deflection angle, and in my recollection, there were two 14:13:36</p> <p>4 major ones. 14:13:41</p> <p>5 And then behind that would be the electronic 14:13:52</p> <p>6 gun, and there, there were two major categories, and 14:13:55</p> <p>7 within those categories, there were several types. 14:13:59</p> <p>8 And then we also talked about panel earlier, but 14:14:11</p> <p>9 for the panel color, there were different transparencies 14:14:14</p> <p>10 as well. 14:14:19</p> <p>11 And then there is the rim band. The rim band -- 14:14:29</p> <p>12 there were different rim bands. 14:14:34</p> <p>13 THE INTERPRETER: Sorry, the interpreter would 14:14:41</p> <p>14 like to -- okay. The interpreter would like to redo that 14:14:43</p> <p>15 last part. 14:14:49</p> <p>16 THE WITNESS: And then there was the rim band. 14:14:50</p> <p>17 There were several different rim bands depending on the 14:14:51</p> <p>18 shape of the panel, whether it was round or it was flat, 14:14:54</p> <p>19 et cetera. 14:14:56</p> <p>20 And then there were also a few different ear 14:15:04</p> <p>21 bands that were used in order to attach that rim band. 14:15:07</p> <p>22 Q. BY MR. LAMBRINOS: Within -- so can you put all 14:15:15</p> <p>23 those together and tell me how many different models of, 14:15:17</p> <p>24 for example, a 21-inch CPT MTPD made? 14:15:19</p> <p>25 A. I'm sorry, I never counted it. So I can't say 14:15:49</p>	<p>1 A. It was possible to get the information on what 14:19:30</p> <p>2 the production volume -- approximate production volume 14:19:37</p> <p>3 for that year for a 20 inch was in that region. 14:19:40</p> <p>4 Q. Would it tell you how much any individual 14:19:46</p> <p>5 manufacturer -- how many tubes were being manufactured by 14:19:49</p> <p>6 each of your competitors? I'm speaking specifically of 14:19:52</p> <p>7 tubes. 14:20:08</p> <p>8 A. That was included in the data from the research 14:20:12</p> <p>9 companies. 14:20:15</p> <p>10 Q. What was the name of these research companies? 14:20:15</p> <p>11 A. I Supply. 14:20:19</p> <p>12 Q. Who was responsible for compiling the 14:20:21</p> <p>13 information that came in from I Supply? 14:20:23</p> <p>14 A. The information that was obtained from I Supply 14:20:38</p> <p>15 came in the form of a pamphlet. So our members did not 14:20:44</p> <p>16 go through the process of putting that information again 14:20:48</p> <p>17 together. 14:20:51</p> <p>18 Q. So the information that came in from I Supply 14:20:52</p> <p>19 would bear the insignia of I Supply somewhere on it; is 14:20:55</p> <p>20 that correct? 14:21:08</p> <p>21 MR. LAMBRINOS: Objection to the form of the 14:21:08</p> <p>22 question. 14:21:10</p> <p>23 You can answer if you know. 14:21:11</p> <p>24 THE WITNESS: The name I Supply did appear on 14:21:20</p> <p>25 the pamphlet. 14:21:23</p>

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<p>1 Q. BY MR. LAMBRINOS: And did you monitor the 14:21:25</p> <p>2 production of tubes by your competitors through any other 14:21:27</p> <p>3 reports that did not have I Supply insignia on them? 14:21:31</p> <p>4 A. I don't really remember doing that. 14:21:52</p> <p>5 Q. Okay. We'll come back to that. 14:21:54</p> <p>6 Next I'd like to know did Panasonic -- excuse 14:21:55</p> <p>7 me -- did MTPD manufacture CDTs? 14:21:59</p> <p>8 A. No, it did not. If it had, it would have been a 14:22:13</p> <p>9 violation of the contract. So it did not. 14:22:17</p> <p>10 Q. Which contract? 14:22:19</p> <p>11 A. It's the joint venture contract. 14:22:21</p> <p>12 Q. What provision would it have violated? 14:22:24</p> <p>13 A. I don't remember which number that was, but it 14:22:38</p> <p>14 was in the prohibited business activities. 14:22:42</p> <p>15 Q. Okay. Going back to this issue about the 14:22:48</p> <p>16 information you received from I Supply -- I'm sorry, 14:22:51</p> <p>17 scratch that. 14:22:55</p> <p>18 Going back to your monitoring of the global 14:22:56</p> <p>19 market for tube production, did you monitor MTPD's -- 14:22:59</p> <p>20 MTPD's production of tubes? 14:23:11</p> <p>21 MR. YOHAI: Objection to the form of the 14:23:30</p> <p>22 question. I think the two pieces of the question don't 14:23:32</p> <p>23 go together. 14:23:34</p> <p>24 But if you understand it, you can answer. 14:23:35</p> <p>25 (Interruption in proceedings.) 14:23:39</p>	<p>1 Q. Yes. I guess what my question is: Did you look 14:25:53</p> <p>2 at any reports that analyzed how much each line of 14:25:55</p> <p>3 your -- each line of your company was producing in terms 14:26:00</p> <p>4 of tubes? 14:26:05</p> <p>5 MR. YOHAI: I assume you mean in the regular 14:26:18</p> <p>6 course of his business. 14:26:20</p> <p>7 MR. LAMBRINOS: In the regular course of his 14:26:21</p> <p>8 business and the scope of his duties as president of 14:26:23</p> <p>9 MTPD. 14:26:27</p> <p>10 THE WITNESS: The production support center 14:27:01</p> <p>11 collected information on the volume that was manufactured 14:27:03</p> <p>12 from each of the sites and put them together. I did not 14:27:07</p> <p>13 go through and confirm each one in my position. 14:27:10</p> <p>14 Q. BY MR. LAMBRINOS: Did the production support 14:27:16</p> <p>15 center also compile the output of your competitors? 14:27:17</p> <p>16 A. No, it did not at all. 14:27:32</p> <p>17 MR. LAMBRINOS: Okay. I'd like to hand you what 14:27:34</p> <p>18 I'm now marking as Exhibit 263. 14:27:37</p> <p>19 (Exhibit 263, MTPD-0504719 - 4720, marked for</p> <p>20 identification.) 14:27:47</p> <p>21 MR. LAMBRINOS: And 264. 14:27:47</p> <p>22 (Exhibit 264, MTPD-0504721, marked for</p> <p>23 identification.)</p> <p>24 MR. LAMBRINOS: I'm marking them -- I'm just 14:27:53</p> <p>25 noting these are part of the same document, but I'm 14:27:55</p>
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<p>1 MR. YOHAI: Hold on. 14:23:53</p> <p>2 MR. LAMBRINOS: One moment. Let me check on who 14:23:54</p> <p>3 this is. Did somebody just call in? 14:23:56</p> <p>4 MR. BALLARD: Yes. Dylan Ballard again with 14:24:02</p> <p>5 Sheppard Mullin. 14:24:04</p> <p>6 MR. LAMBRINOS: Thank you. 14:24:05</p> <p>7 Q. Go ahead. Please answer the question. 14:24:06</p> <p>8 A. Sorry. May I ask for the question to be 14:24:08</p> <p>9 repeated? 14:24:11</p> <p>10 Q. Sure. Did you monitor MTPD's production of 14:24:11</p> <p>11 tubes? 14:24:16</p> <p>12 A. I tried to understand the internal production 14:24:32</p> <p>13 volume from a macro perspective. 14:24:37</p> <p>14 Q. And what types of documents would you look at to 14:24:39</p> <p>15 understand that? 14:24:42</p> <p>16 A. There -- we have annual business plans, and in 14:25:04</p> <p>17 that, for that, the information on the production volume 14:25:09</p> <p>18 for the prior year would be compiled. And so it would be 14:25:14</p> <p>19 possible to confirm by looking at that. That's one 14:25:19</p> <p>20 example. 14:25:23</p> <p>21 Q. And what would that information on the 14:25:24</p> <p>22 production plans look like? 14:25:25</p> <p>23 A. Oh, what I said was not about the production 14:25:42</p> <p>24 plan. What I was referring to was to confirm what the 14:25:45</p> <p>25 actual production volume was for that year. 14:25:48</p>	<p>1 having them marked separately because they're so 14:27:58</p> <p>2 voluminous. 14:28:01</p> <p>3 So this will be the next. This will be 264. 14:28:02</p> <p>4 And I have more of these if you want to pass 14:28:16</p> <p>5 them around. This is 264. I'm passing them around. The 14:28:19</p> <p>6 smaller one is 263. The bigger one is 264. 14:28:23</p> <p>7 Q. Okay. So in looking at what we've marked as 14:28:46</p> <p>8 263, I'm going to read the Bates Number into the record. 14:28:49</p> <p>9 It's beginning Bates Number MTPD-0504719. It is a cover 14:28:51</p> <p>10 email, and if you flip that over, you will see that 14:29:00</p> <p>11 there's a spreadsheet beginning with MTPD-0504720, which 14:29:03</p> <p>12 was attached to that email. 14:29:12</p> <p>13 Exhibit 264 is a very large spreadsheet that is 14:29:14</p> <p>14 a family member that was also attached to this email, and 14:29:21</p> <p>15 it is MTPD-0504721. 14:29:25</p> <p>16 So Mr. Tobinaga, starting off with 263, this 14:29:32</p> <p>17 looks like an email that was sent by a Hiroko Sato. 14:29:38</p> <p>18 Do you know who that is? 14:29:45</p> <p>19 A. I do know the name. 14:30:38</p> <p>20 Q. What does he do? 14:30:40</p> <p>21 A. It's a "she." She is assigned to sales. It's a 14:30:47</p> <p>22 female. 14:30:52</p> <p>23 Q. She's a female assigned to sales at Panasonic 14:30:55</p> <p>24 Corporation headquartered in Japan? 14:30:59</p> <p>25 A. Yes. 14:31:08</p>

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<p>1 Q. And then below that, you'll see that the initial 14:31:10</p> <p>2 email, same page, the initial email that she's forwarding 14:31:13</p> <p>3 was sent by Ayumu Kinoshita. 14:31:18</p> <p>4 Do you know who that is? 14:31:22</p> <p>5 A. Ayumu Kinoshita is a person in sales. 14:31:51</p> <p>6 Q. And as I'm looking at the metadata for this 14:31:57</p> <p>7 document, one of the people on the cc line -- and I don't 14:32:02</p> <p>8 know if it's visible on the face of this document -- is 14:32:04</p> <p>9 someone named Kazuto Ueda. 14:32:07</p> <p>10 Do you know who that is? 14:32:09</p> <p>11 A. He is also a member of sales. 14:32:26</p> <p>12 Q. Do you know what his title is? 14:32:28</p> <p>13 A. Well, he was one who was assigned to it, but 14:33:01</p> <p>14 this is 2006; right? So then I think there's a 14:33:07</p> <p>15 possibility that he had been posted to Beijing. I don't 14:33:10</p> <p>16 remember when exactly it was, but I think he was posted 14:33:15</p> <p>17 to Beijing, although confirmation is necessary. 14:33:19</p> <p>18 Q. Okay. If we flip open to the first spreadsheet. 14:33:25</p> <p>19 It looks like this. It's right immediately after the 14:33:27</p> <p>20 cover email. There are a few color copies, and I think 14:33:30</p> <p>21 everybody else got black and white. 14:33:35</p> <p>22 Okay, do you see at the top, it says "MTPD CRT 14:33:39</p> <p>23 line status"? 14:33:44</p> <p>24 A. Yes. 14:33:51</p> <p>25 Q. And do you see over in the right-hand corner, it 14:33:52</p>	<p>1 you can see that, for example, where we looked at region 14:36:03</p> <p>2 AM, the country next to that is USA. 14:36:07</p> <p>3 Do you see that? 14:36:09</p> <p>4 A. Yes. 14:36:23</p> <p>5 Q. And then do you see site, the column next to 14:36:24</p> <p>6 that, so if we're looking at the American region, the 14:36:27</p> <p>7 country USA, and the site is Troy and house heads? Do 14:36:30</p> <p>8 you see those two things -- items? 14:36:33</p> <p>9 A. Yes. 14:36:54</p> <p>10 Q. And what do you understand Troy and house heads 14:36:55</p> <p>11 to designate there? 14:36:57</p> <p>12 A. I would understand them to be the name of the 14:37:09</p> <p>13 cities or the towns in the United States where the two 14:37:13</p> <p>14 factories are located. 14:37:16</p> <p>15 MR. YOHAI: I think it's supposed to be Horse 14:37:18</p> <p>16 Heads, not house heads, by the way. 14:37:21</p> <p>17 MR. LAMBRINOS: May be a typo. 14:37:23</p> <p>18 MR. YOHAI: No, it is. 14:37:24</p> <p>19 THE WITNESS: It should be Horse Heads. 14:37:25</p> <p>20 Q. BY MR. LAMBRINOS: Okay. So Troy and Horse 14:37:29</p> <p>21 Heads are the names of the cities where MTPD's factories 14:37:30</p> <p>22 exist in the United States; is that correct? Horse 14:37:34</p> <p>23 Heads? 14:37:38</p> <p>24 A. Yes. It's the cities' names. 14:37:46</p> <p>25 Q. Okay. And the next column, so if we're going 14:37:48</p>
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<p>1 says June '06? 14:33:54</p> <p>2 A. Oh, '06, yes. 14:34:08</p> <p>3 Q. Okay. And as we're looking at the spreadsheet, 14:34:10</p> <p>4 do you see the column headings, there's a column heading 14:34:13</p> <p>5 that says "Region"? Do you see that? 14:34:16</p> <p>6 A. Yes. 14:34:27</p> <p>7 Q. And then as we go down, it says "AP" under 14:34:28</p> <p>8 region. Do you have an understanding of what "AP" under 14:34:32</p> <p>9 region means? 14:34:35</p> <p>10 A. Well, I don't know what this abbreviation is 14:34:58</p> <p>11 for, but if I were to guess, it would be Asia Pacific, 14:35:06</p> <p>12 perhaps, but I don't know for sure. 14:35:09</p> <p>13 Q. And what do you think "GC," which is right 14:35:11</p> <p>14 beneath that, what do you think "GC" means? 14:35:14</p> <p>15 A. I think the "C" may be China, but I don't know 14:35:24</p> <p>16 what the "G" is. 14:35:27</p> <p>17 Q. Could it be Greater China? 14:35:28</p> <p>18 A. I don't know. 14:35:35</p> <p>19 Q. And beneath that there is an abbreviation that 14:35:37</p> <p>20 says "AM." Do you have an understanding of what that is? 14:35:39</p> <p>21 A. It's the USA. So I think it means America. 14:35:45</p> <p>22 Q. And "EU" beneath that, what do you think that 14:35:51</p> <p>23 means? 14:35:54</p> <p>24 A. It's Europe. 14:35:58</p> <p>25 Q. Okay. So if we're going from region to country, 14:35:59</p>	<p>1 across from Troy, it has a column that says A-1, A-3 and 14:37:51</p> <p>2 A-4. What do you understand those items to designate? 14:37:56</p> <p>3 A. It's the names of the lines. 14:38:13</p> <p>4 Q. The name of the production lines of the Troy 14:38:15</p> <p>5 facility? 14:38:18</p> <p>6 A. The line names for the Troy factory A-1, A-3 and 14:38:26</p> <p>7 A-4. 14:38:32</p> <p>8 Q. And so by this chart, it appears that the A-1 14:38:33</p> <p>9 factory was at one time producing 29-inch CRT -- or CPTs; 14:38:36</p> <p>10 is that fair? 14:38:42</p> <p>11 A. Yes, that is correct. 14:38:56</p> <p>12 Q. And the line is grayed out, and over in the 14:38:57</p> <p>13 remarks column for the Troy facility for the A-1 line, 14:39:00</p> <p>14 for example, it says closed quarter 1 of '05. 14:39:05</p> <p>15 Do you see that? 14:39:09</p> <p>16 A. Yeah. 14:39:25</p> <p>17 Q. Okay. So do you -- is it fair to state that -- 14:39:26</p> <p>18 well, let me ask you this. Scratch that. 14:39:30</p> <p>19 Is it grayed out because the line is closed? I 14:39:33</p> <p>20 see that in the remarks column, every time we see a 14:39:36</p> <p>21 closed out line or a shutdown line, the line is grayed 14:39:39</p> <p>22 out. 14:39:42</p> <p>23 Do you think that's why it's grayed out here? 14:39:43</p> <p>24 A. In November 2005, it was decided that the 14:40:23</p> <p>25 factories in America would be closed, and after that 14:40:26</p>

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1 decision was made, the factories were closed one-by-one. 14:40:31	1 that. 14:45:31
2 So I think what you said is correct. 14:40:35	2 A. Well, this is internal information so it's 14:46:11
3 Q. So the information on this chart appears 14:40:37	3 possible to get this information without going directly 14:46:14
4 accurate? 14:40:39	4 through -- it's possible to get this information directly 14:46:17
5 MR. YOHAI: Objection to the form of the 14:40:46	5 without going through the research companies -- research 14:46:19
6 question. 14:40:47	6 company. 14:46:23
7 THE WITNESS: Whether it's accurate or not, I 14:41:06	7 THE INTERPRETER: Let -- the interpreter will 14:46:23
8 would have to check. But from a macro perspective, it 14:41:08	8 start this again. 14:46:25
9 appears that the timing is correct. 14:41:12	9 THE WITNESS: Well, this is internal information 14:46:26
10 Q. BY MR. LAMBRINOS: And if we look at the bottom 14:41:16	10 so it's possible to get this information directly without 14:46:29
11 line where it says "MTPD total," and you see that there's 14:41:17	11 going through the research company. 14:46:31
12 a red box around the CPT numbers? Do you see that? 14:41:20	12 (Mr. Miller leaves deposition room.) 14:46:33
13 A. Yes. 14:41:36	13 THE WITNESS: All that needs to be done is for 14:46:36
14 Q. And at the very bottom, CPT, and it says in the 14:41:36	14 each of the people in charge to confirm with the sites, 14:46:38
15 column, it says "KP/M," and then at the very bottom it 14:41:41	15 the factories. 14:46:41
16 gives a figure of 1,920. 14:41:46	16 Q. BY MR. LAMBRINOS: So how would they go about 14:46:42
17 Do you see that? 14:41:49	17 doing that? 14:46:45
18 A. Yes. 14:42:04	18 A. It's a little bit -- it will be a little 14:47:24
19 Q. So does this indicate, then, that in June 2006, 14:42:05	19 technical explanation, but the basic production capacity 14:47:28
20 MTPD's lines were producing 1,920,000 CPTs per month? 14:42:10	20 is determined by the exhaust furnace or exhaust oven, and 14:47:31
21 A. I don't know what definition went into these 14:42:47	21 that would determine the number of how fast the products 14:47:38
22 numbers or how these numbers are defined, but I can see 14:42:55	22 can be manufactured. And on top of that would be added 14:47:45
23 that these are monthly units. 14:43:00	23 the yield and efficiency and would result in the maximum 14:47:49
24 Q. Have you reviewed information of this type in 14:43:05	24 production volume. That would be the basic, the 14:47:57
25 the scope of your duties as president of MTPD in the 14:43:07	25 foundation. 14:48:03
95	97
1 ordinary course of business? 14:43:11	1 Q. And is that information that only people within 14:48:03
2 A. As the president of MTPD, at least after 2004, I 14:43:29	2 MTPD would have access to? 14:48:06
3 did not really look at documents like this. 14:43:35	3 MR. YOHAI: Objection to the form of the 14:48:15
4 Q. Who would have been in charge of putting this 14:43:38	4 question. 14:48:16
5 document together? 14:43:40	5 THE WITNESS: Essentially if it were an 14:48:27
6 A. Well, this -- who would be in charge? Well, I 14:43:54	6 engineer, internal engineer, he would be able to get that 14:48:30
7 don't know. 14:43:59	7 information. 14:48:33
8 Q. Who was in charge of monitoring MTPD's CRT line 14:43:59	8 Q. BY MR. LAMBRINOS: Would this information ever 14:48:33
9 status? 14:44:04	9 be shared with your competitors? 14:48:35
10 A. Basically it is the production support center, 14:44:25	10 MR. YOHAI: Objection to the form of the 14:48:43
11 as I mentioned earlier, that was collecting information 14:44:27	11 question, calls for speculation. As far as I know, I 14:48:44
12 on the capacity of each of the lines. 14:44:30	12 never heard that that information was shared, and I don't 14:48:59
13 Q. You said the production support center was 14:44:34	13 think that happened. 14:49:03
14 collecting information from I Supply and that the 14:44:36	14 Q. BY MR. LAMBRINOS: Do you ever recall permitting 14:49:04
15 documents that they had on the "to production" was from 14:44:38	15 any employees from one of your competitors to inspect 14:49:06
16 I Supply. 14:44:38	16 your exhaust ovens to determine the total amount of 14:49:09
17 I don't -- is that correct? 14:44:43	17 manufacturing capacity available at any of these lines? 14:49:12
18 THE INTERPRETER: Excuse me. I'm not sure the 14:45:08	18 A. As far as it involves me, I never have. 14:49:40
19 interpreter can understand what the question is. 14:45:11	19 Q. How would the information on this front page be 14:49:47
20 Q. BY MR. LAMBRINOS: You said that the production 14:45:14	20 used within MTPD? 14:49:50
21 support center gathered information from I Supply, which 14:45:16	21 A. I mentioned the production support center. This 14:50:19
22 is a third-party information vendor, and I wanted to know 14:45:21	22 is an organization that was charged with increasing the 14:50:23
23 if that's correct. 14:45:23	23 yield and technically improving the effectiveness or the 14:50:28
24 And my followup is going to be, I don't see 14:45:24	24 efficiency for each line on a continual basis. So they 14:50:33
25 I Supply anywhere on this document, and if he agrees with 14:45:29	25 were looking at this. 14:50:39

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1 Q. And what would they do with this information to 14:50:41	1 created that designates what the production speed should 14:57:06
2 improve efficiency? 14:50:44	2 be.
3 A. Well, let's say there is an actual value, a 14:51:08	3 For this particular sheet, I don't know which 14:57:12
4 production, and that the exhaust oven is operating at a 14:51:14	4 data went into that. So I don't know. 14:57:15
5 certain speed, and then they apply some type of technical 14:51:18	5 Q. BY MR. LAMBRINOS: And would this, the 14:57:18
6 manipulation in order to increase that speed. They would 14:51:28	6 information on this sheet be made publicly available by 14:57:20
7 be able to use this data to make a comparison. 14:51:32	7 MTPD? 14:57:23
8 Q. And then what would they do with that 14:51:36	8 MR. YOHAI: Objection to the form of the 14:57:35
9 comparison? 14:51:38	9 question, calls for speculation. 14:57:36
10 A. For each of the lines, there is a spec or a rule 14:52:18	10 THE WITNESS: By "public," what do you mean? 14:57:46
11 that says at what speed the manufacturing should take 14:52:26	11 Q. BY MR. LAMBRINOS: Would you have published this 14:57:48
12 place, and if the speed is improved through improving 14:52:32	12 information in any way outside of Panasonic and made it 14:57:49
13 some kind of technical aspect of the line, then let's say 14:52:35	13 available externally? 14:57:56
14 it improved by 10 percent, then they would write into the 14:52:39	14 MR. YOHAI: Same objection. 14:58:04
15 spec sheet that the production has to be done at that 14:52:43	15 THE WITNESS: No, that wouldn't be done. 14:58:10
16 increased 10-percent volume. 14:52:46	16 Q. BY MR. LAMBRINOS: Why not? 14:58:11
17 Q. And then those recommendations would guide 14:52:48	17 A. The technology itself that determines the 14:58:26
18 MTPD's production of tubes? 14:52:51	18 production speed, that is Panasonic's own technology. I 14:58:30
19 MR. YOHAI: Objection to the form of the 14:53:04	19 don't think that would be made public. 14:58:35
20 question. 14:53:06	20 Q. Does Panasonic own a patent over that 14:58:37
21 MR. LAMBRINOS: You can answer. 14:53:10	21 technology, over the production speed? 14:58:40
22 THE WITNESS: Basically at each factory, there 14:54:04	22 A. The improvements, the -- each of the little 14:58:58
23 is an engineer or engineers who are similar to the 14:54:06	23 improvements are not patented. 14:59:03
24 production support center. There are mechanical 14:54:12	24 Q. Were you going to continue and say something 14:59:19
25 engineers, there are process engineers. And if it's 14:54:16	25 else about patents and the technology involved in 14:59:21
99	101
1 possible at each site to make an improvement only with 14:54:19	1 monitoring the production speed and that you had limited 14:59:25
2 those members, then they would do that and then change 14:54:24	2 your answer? You could expand on what you were planning 14:59:28
3 the spec sheets to reflect that. 14:54:28	3 on saying. 14:59:31
4 But if it's not possible for them alone to 14:54:30	4 MR. YOHAI: Objection to the form of the 14:59:47
5 implement this, then the production support center would 14:54:33	5 question. 14:59:48
6 send engineer or engineers to support them, and 14:54:38	6 MR. LAMBRINOS: Go ahead and answer. 14:59:52
7 improvement results would then be written in the spec 14:54:43	7 THE WITNESS: It's a very technical discussion. 14:59:57
8 sheet and implemented. 14:54:50	8 Is that okay? 15:00:04
9 Q. BY MR. LAMBRINOS: And so that's how this 14:54:51	9 Q. BY MR. LAMBRINOS: Okay. So the bottom line is 15:00:05
10 information would be used in the ordinary course of 14:54:53	10 you wouldn't share this information with anyone, and you 15:00:07
11 business, both by the engineers and by the production 14:54:55	11 wouldn't make it public? 15:00:09
12 support center? 14:54:58	12 A. Essentially or basically, it is internal, it is 15:00:23
13 A. The information is the output of their efforts 14:55:21	13 sensitive, so we would not make it public. 15:00:28
14 because the technical improvements will show up in terms 14:55:26	14 Q. Could you please flip the page. 15:00:32
15 of numbers. 14:55:31	15 Do you see that in the upper left-hand corner it 15:00:36
16 Q. And this -- the output of their efforts, this 14:55:31	16 says "SCI CRT line status"? 15:00:38
17 document and this information, would have been conducted 14:55:33	17 A. Yes. 15:00:48
18 in the regular course of business by these people? 14:55:37	18 Q. Do you see that? And do you see that this chart 15:00:49
19 MR. YOHAI: Objection to the form of the 14:55:58	19 takes the same form as the MTPD chart that we just looked 15:00:52
20 question. 14:55:59	20 at on the prior page? 15:00:56
21 THE WITNESS: The capacity, or rather the 14:56:39	21 A. Yes. 15:01:05
22 production speed will show up in the form of data and 14:56:41	22 Q. And does it appear the same as it did on the 15:01:05
23 the -- and the volume. And that would be used by the 14:56:50	23 prior page that we looked at region, country, site, line, 15:01:09
24 production support center and the local engineers. And 14:56:56	24 and products, and that all of those column headings are 15:01:13
25 at each plant, there would be a spec sheet that would be 14:57:01	25 the same as they were on the prior page? 15:01:17

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<p>1 A. Yes. 15:01:33</p> <p>2 Q. Okay. And so if we're looking at the region, 15:01:33</p> <p>3 Asia Pacific, country Korea, site, Suwon, lines 1, 2, 3 15:01:35</p> <p>4 and 6, do you see that those lines are all grayed out and 15:01:41</p> <p>5 shut down in this chart? 15:01:44</p> <p>6 A. Yes. 15:02:09</p> <p>7 Q. So this is -- and if we look at the bottom -- so 15:02:10</p> <p>8 if you flip -- if you flip the page, you'll see that the 15:02:13</p> <p>9 SDI CRT line status chart goes on to the next page, and 15:02:17</p> <p>10 it gives a total, for example, of 3,000 -- or 3,325,000 15:02:22</p> <p>11 CPTs made in that month of 2006. 15:02:30</p> <p>12 Do you see that? Just the very next page. 15:02:32</p> <p>13 A. Yes. 15:03:00</p> <p>14 Q. Okay. So how -- how would this information be 15:03:01</p> <p>15 used by MTPD? 15:03:05</p> <p>16 A. At that time I didn't know that data such as 15:03:17</p> <p>17 this existed. So I would not have been able to use it. 15:03:22</p> <p>18 Q. How would this information have been compiled? 15:03:26</p> <p>19 A. I wasn't the one who compiled it so I don't 15:03:37</p> <p>20 know. I didn't know at the time that such a document 15:03:41</p> <p>21 like this existed. 15:03:43</p> <p>22 Q. You previously testified that MTPD would never 15:03:44</p> <p>23 have shared this type of information. Are you surprised 15:03:46</p> <p>24 that SDI is sharing it with you? 15:03:49</p> <p>25 MR. YOHAI: Objection to the form of the 15:04:05</p>	<p>1 Q. BY MR. LAMBRINOS: Do you consider this 15:06:20</p> <p>2 sensitive information from SDI? 15:06:21</p> <p>3 MR. YOHAI: Objection to the form of the 15:06:27</p> <p>4 question. 15:06:29</p> <p>5 THE WITNESS: Like I said, although this might 15:06:57</p> <p>6 not be a direct reply to your question, from 2004 to 15:07:17</p> <p>7 2007, and then finally for Beijing through 2009, I wasn't 15:07:22</p> <p>8 interested in things like this. What I was -- the main 15:07:28</p> <p>9 point of my interest was how the flat screen was entering 15:07:31</p> <p>10 into the market, and depending on what that situation 15:07:38</p> <p>11 was, a decision would have to be made whether factories 15:07:41</p> <p>12 would close or not. And so my interest was only in that. 15:07:45</p> <p>13 Q. BY MR. LAMBRINOS: And you were -- were you also 15:07:52</p> <p>14 interested in how many CRTs were being produced by your 15:07:54</p> <p>15 competitors? 15:07:58</p> <p>16 A. At that time, I was not very interested in that. 15:08:08</p> <p>17 Q. But the amount of CRTs produced by your 15:08:12</p> <p>18 competitors would determine the total amount of supply 15:08:14</p> <p>19 and whether or not that supply met demand; is that 15:08:18</p> <p>20 correct? 15:08:41</p> <p>21 MR. YOHAI: Objection to the form of the 15:08:41</p> <p>22 question. 15:08:46</p> <p>23 THE WITNESS: To explain to you the individual 15:09:41</p> <p>24 situation of MTPD, aside from the MTPD Beijing plant, 15:09:46</p> <p>25 most of our customers was -- had captive -- most of ours 15:09:55</p>
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<p>1 question. And mischaracterizes his testimony. 15:04:06</p> <p>2 MR. LAMBRINOS: Go ahead and answer. 15:04:13</p> <p>3 THE WITNESS: When you say "you," I didn't 15:04:23</p> <p>4 engage in the exchange, and so at that time I didn't know 15:04:25</p> <p>5 that such information existed. 15:04:27</p> <p>6 Q. BY MR. LAMBRINOS: Well, I want to understand 15:04:31</p> <p>7 your earlier testimony. You said that in order to 15:04:32</p> <p>8 determine -- in order to compile the information on the 15:04:35</p> <p>9 first page of this chart, that the employees would have 15:04:38</p> <p>10 to go and inspect the exhaust ovens in order to determine 15:04:42</p> <p>11 the maximum capacity at MTPD. 15:04:46</p> <p>12 Wouldn't they have had to do the same thing at 15:04:48</p> <p>13 SDI to get these numbers? 15:04:51</p> <p>14 MR. YOHAI: Objection to the form of the 15:05:26</p> <p>15 question. Mischaracterizes the witness' testimony. 15:05:27</p> <p>16 You can answer. 15:05:34</p> <p>17 MR. LAMBRINOS: Please answer. 15:05:37</p> <p>18 THE WITNESS: To be honest, all I can say is 15:05:47</p> <p>19 that I don't know. This is the first time I've seen this 15:05:49</p> <p>20 document. 15:05:51</p> <p>21 Q. BY MR. LAMBRINOS: How would you have used this 15:05:53</p> <p>22 information if you'd had access to it at the time? 15:05:54</p> <p>23 MR. YOHAI: Objection. Calls for speculation. 15:06:07</p> <p>24 THE WITNESS: I probably would not have looked 15:06:16</p> <p>25 at it very carefully. 15:06:18</p>	<p>1 were captive customers. 15:10:01</p> <p>2 And then for our captive situation, what was 15:10:03</p> <p>3 particularly important was how our customers were going 15:10:08</p> <p>4 to shift from CRT TVs to flat-screen TVs, because that 15:10:12</p> <p>5 would determine about the timing of when the factory or 15:10:18</p> <p>6 factories would be shut. 15:10:23</p> <p>7 So I was only interested in how much the 15:10:25</p> <p>8 Panasonic TV set CRT productions were. That was the 15:10:30</p> <p>9 situation then. 15:10:35</p> <p>10 Q. BY MR. LAMBRINOS: And at what point in 2004 did 15:10:36</p> <p>11 you become interested in LCDs? 15:10:38</p> <p>12 A. It's the flat screens. It includes PDP as well. 15:10:55</p> <p>13 It was from 2004, when I started becoming interested, or 15:11:01</p> <p>14 rather I should say that it was not possible to conduct 15:11:08</p> <p>15 business without paying attention to that. 15:11:10</p> <p>16 Q. What date -- what month in 2004? 15:11:12</p> <p>17 A. It was around the middle of 2004. I don't 15:11:20</p> <p>18 remember or I forgot the exact timing, but it was when I 15:11:47</p> <p>19 heard that Panasonic in the United States was going to 15:11:51</p> <p>20 pull out from CRTs and shift entirely to PDP. It was -- 15:11:56</p> <p>21 the situation at the company was pretty difficult. 15:12:06</p> <p>22 Q. But even during this time when you were 15:12:14</p> <p>23 interested in LCDs, your production support center was 15:12:17</p> <p>24 still monitoring MTPD's output of CPTs and that of all 15:12:23</p> <p>25 your competitors in this document. Yes? 15:12:29</p>

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<p>1 A. Closing the sites, which I mentioned earlier, 15:13:22</p> <p>2 was extremely confidential. The assessment in the 15:13:26</p> <p>3 decision had to be made under very secure circumstances. 15:13:31</p> <p>4 So until the decision was made, that information was not 15:13:37</p> <p>5 conveyed to those below. So it's possible that they were 15:13:40</p> <p>6 conducting their business as usual. 15:13:44</p> <p>7 Q. Would it have been confidential information that 15:13:48</p> <p>8 one of your competitors was closing its site? 15:13:51</p> <p>9 A. Whether they closed a line or not was not at all 15:14:25</p> <p>10 of interest to me. As I mentioned earlier, I was only 15:14:29</p> <p>11 concerned about the timing at which the Panasonic TV was 15:14:34</p> <p>12 going to be moving its CRT TV business over to the 15:14:39</p> <p>13 thin-screen TV. 15:14:46</p> <p>14 Q. Did you ever instruct Panasonic or MTPD 15:14:46</p> <p>15 employees to visit CRT manufacturers production 15:14:50</p> <p>16 facilities other than Panasonic? 15:14:54</p> <p>17 A. No. 15:15:06</p> <p>18 Q. Did you ever instruct anybody to inspect SDIs 15:15:07</p> <p>19 manufacturing facilities to determine whether or not they 15:15:11</p> <p>20 were going to shut down a factory? 15:15:14</p> <p>21 A. I never instructed anybody. 15:15:28</p> <p>22 Q. How would you have received this information on 15:15:30</p> <p>23 page 2? 15:15:33</p> <p>24 A. This one? 15:15:39</p> <p>25 Q. Yeah, the one that says SDI CRT line status on 15:15:40</p>	<p>1 go across, there's red marking that says "29 SUS not 15:18:08</p> <p>2 approved." 15:18:13</p> <p>3 Do you know what that means? 15:18:14</p> <p>4 A. I don't know. 15:18:50</p> <p>5 Q. Okay. If we go down, I just want to go through 15:18:53</p> <p>6 a couple more of these. 15:18:55</p> <p>7 Do you see the LPD CRT line status section 15:18:57</p> <p>8 immediately beneath that? 15:19:00</p> <p>9 A. Yes. 15:19:07</p> <p>10 Q. Is LPD a tube maker that is a direct competitor 15:19:08</p> <p>11 with MTPD? 15:19:12</p> <p>12 A. Competing directly? Well, they're in the same 15:19:35</p> <p>13 industry so we would be competing, but I'm not really 15:19:37</p> <p>14 sure what you mean by "directly." What do you mean by 15:19:40</p> <p>15 that? 15:19:43</p> <p>16 Q. They are a competitor of yours; is that correct? 15:19:43</p> <p>17 A. There's a possibility that they were a 15:19:50</p> <p>18 competitor in part. 15:19:52</p> <p>19 Q. And so if we're looking at the region Asia 15:19:56</p> <p>20 Pacific, country Korea, site Changwon, according to this 15:20:00</p> <p>21 chart it says that the 21 FS U.S., for remarks: "The 15:20:05</p> <p>22 ultra-slim will be ramped up in July of '06." That's the 15:20:12</p> <p>23 month after this report, which is June of '06. 15:20:18</p> <p>24 Does that to you indicate that this is a 15:20:20</p> <p>25 prospective chart, and not one that simply looks 15:20:22</p>
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<p>1 the top. 15:15:45</p> <p>2 A. Okay. 15:15:49</p> <p>3 Q. It describes the prospective shutdown of several 15:15:49</p> <p>4 lines, and I'm wondering how you would come into contact 15:15:52</p> <p>5 with this information or how your employees would come 15:15:56</p> <p>6 into contact with it. 15:15:59</p> <p>7 MR. YOHAI: Objection to the characterization of 15:16:23</p> <p>8 a prospective shutdown. 15:16:26</p> <p>9 (Interruption in proceedings.) 15:16:45</p> <p>10 MR. LAMBRINOS: Go ahead. 15:16:55</p> <p>11 THE WITNESS: So this is the first time that I 15:17:14</p> <p>12 have seen this document. I don't know how this data was 15:17:16</p> <p>13 collected. The person who collected it or created this 15:17:20</p> <p>14 needs to be asked, and I wasn't the person who asked for 15:17:24</p> <p>15 this to be made, either. 15:17:27</p> <p>16 Q. BY MR. LAMBRINOS: Who would have asked for it 15:17:33</p> <p>17 to be made? 15:17:34</p> <p>18 MR. YOHAI: Objection. Calls for speculation. 15:17:40</p> <p>19 THE WITNESS: I don't know. 15:17:46</p> <p>20 Q. BY MR. LAMBRINOS: If you flip over the page, as 15:17:47</p> <p>21 where the SDI CRT line status continues, in the Americas 15:17:49</p> <p>22 region you'll see -- it's just the next page, the next 15:17:56</p> <p>23 page. 15:17:59</p> <p>24 In the Americas region, you'll see that America, 15:18:00</p> <p>25 Mexico plant, the Tijuana line number 1, if you were to 15:18:04</p>	<p>1 backwards in time? 15:20:26</p> <p>2 MR. YOHAI: Objection to the characterization as 15:21:15</p> <p>3 a prospective chart. 15:21:18</p> <p>4 THE WITNESS: I don't know. 15:21:30</p> <p>5 Q. BY MR. LAMBRINOS: I'm going to go through the 15:21:32</p> <p>6 rest of these very quickly. If we flip the page to the 15:21:33</p> <p>7 next major section, it's the page number that ends in 15:21:37</p> <p>8 4720. We have a Thompson CRT line status chart. 15:21:41</p> <p>9 Do you see that? 15:21:45</p> <p>10 A. Yes. 15:22:04</p> <p>11 Q. Okay. Did you ever authorize or instruct your 15:22:05</p> <p>12 employees to conduct inspections at the plant of 15:22:08</p> <p>13 Thompson's CRT lines? 15:22:12</p> <p>14 A. No. 15:22:25</p> <p>15 Q. Do you know how you got this information, then? 15:22:25</p> <p>16 A. I don't know. 15:22:30</p> <p>17 Q. Then the next chart, if we flip the page, is 15:22:34</p> <p>18 Sony CRT line. 15:22:38</p> <p>19 Do you see that? 15:22:38</p> <p>20 A. Yes. 15:22:40</p> <p>21 Q. And Sony was also a competitor of yours at the 15:22:40</p> <p>22 time? 15:22:50</p> <p>23 A. Sony was manufacturing a special CRT. So it was 15:22:50</p> <p>24 not a competitor. 15:22:55</p> <p>25 Q. The next section then is T-CRT. Do you have an 15:22:56</p>

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<p>1 understanding of what that is? 15:23:02</p> <p>2 A. It says Thailand on the bottom. So I would 15:23:13</p> <p>3 guess that it means Thailand CRT. 15:23:17</p> <p>4 Q. Is that a competitor of yours that produces 15:23:19</p> <p>5 tubes? 15:23:22</p> <p>6 A. They were manufacturing medium-sized tubes. So 15:23:32</p> <p>7 there was a possibility that they were competing in a 15:23:36</p> <p>8 certain part. 15:23:39</p> <p>9 Q. If you flip to the next page, it says CPT/CRT 15:23:40</p> <p>10 line status. Do you understand this to mean Chungwa 15:23:44</p> <p>11 (phonetic) picture tubes, CRT line status? 15:23:47</p> <p>12 A. Yes, it is picture tube. 15:24:08</p> <p>13 Q. And then do you see under region greater China, 15:24:10</p> <p>14 country China, the last three entries under the remarks 15:24:14</p> <p>15 column say that they planned to close lines 5, 6 and 7? 15:24:17</p> <p>16 Do you see that? 15:24:22</p> <p>17 A. Yes. 15:24:41</p> <p>18 Q. So this is yet another indication, is it not, 15:24:41</p> <p>19 that this is a prospective -- this is a prospective piece 15:24:43</p> <p>20 of information, that this chart is forward looking? 15:24:48</p> <p>21 MR. YOHAI: Objection to the characterization as 15:25:06</p> <p>22 forward looking, the chart is forward looking. 15:25:09</p> <p>23 MR. LAMBRINOS: You can answer the question. 15:25:23</p> <p>24 THE WITNESS: Right. Yes, I don't know what 15:25:26</p> <p>25 this means. 15:25:29</p>	<p>1 manufacturer was dealing with that and especially what 15:28:32</p> <p>2 the activities of the captive was. 15:28:38</p> <p>3 Q. And how about in -- in this document, the data 15:28:41</p> <p>4 appears to go back to 2003. Why don't we talk about the 15:28:43</p> <p>5 2003 time period and what was important to you then. 15:28:47</p> <p>6 A. In 2003, I was not president. So it was mainly 15:29:02</p> <p>7 about operations. I was interested in -- I was involved 15:29:32</p> <p>8 in trying to increase the production volume and the 15:29:38</p> <p>9 efficiency of our own internal factories. And I was 15:29:42</p> <p>10 involved in cutting costs in a large sense. 15:29:49</p> <p>11 Q. And earlier when we were discussing the CRT line 15:29:54</p> <p>12 status document, you said that the production supply 15:29:57</p> <p>13 center would use documents such as the CRT line status 15:30:00</p> <p>14 report to increase yield and efficiency; is that correct? 15:30:04</p> <p>15 MR. YOHAI: Objection. Mischaracterizes his 15:30:31</p> <p>16 testimony. 15:30:33</p> <p>17 THE WITNESS: They used only our own internal 15:30:40</p> <p>18 data. 15:30:43</p> <p>19 Q. BY MR. LAMBRINOS: How do you know? 15:30:46</p> <p>20 A. As I said earlier, if you go to a factory, you 15:30:58</p> <p>21 would see that they have spec sheets, and if you look at 15:31:02</p> <p>22 the spec sheets, you would see how many units were to be 15:31:04</p> <p>23 manufactured per hour. 15:31:09</p> <p>24 Q. And in fact, that's the only way to get this 15:31:12</p> <p>25 information, and you don't know how you got this 15:31:14</p>
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<p>1 Q. BY MR. LAMBRINOS: I'll ask you to look at the 15:25:33</p> <p>2 larger document that I gave you. It's -- yes, that's 15:25:35</p> <p>3 right, 264. This document was sent in the same email as 15:25:38</p> <p>4 the CRT line status report, and it is a very large 15:25:44</p> <p>5 multipage spreadsheet, several hundred pages. 15:25:55</p> <p>6 But on the index, you can see that it has an 15:25:58</p> <p>7 index by maker and by maker detail. And if you flip over 15:26:01</p> <p>8 to the first page, you'll see a summary of CRT 15:26:06</p> <p>9 manufacturing by maker. 15:26:13</p> <p>10 Do you see that? 15:26:14</p> <p>11 A. Yes. 15:26:55</p> <p>12 Q. What would you have -- how would MTPD or how 15:26:55</p> <p>13 would you in your capacity as president of MTPD use such 15:27:00</p> <p>14 information? 15:27:04</p> <p>15 MR. YOHAI: Objection to the form of the 15:27:13</p> <p>16 question, assumes facts not in evidence. 15:27:14</p> <p>17 THE WITNESS: This will be the same answer as 15:27:35</p> <p>18 earlier, but I'll see this, and I say -- and I think, 15:27:37</p> <p>19 and? It is not very useful in order to make any 15:27:42</p> <p>20 management decisions. 15:27:45</p> <p>21 Q. BY MR. LAMBRINOS: What type of information 15:27:48</p> <p>22 would be useful in making such decisions? 15:27:49</p> <p>23 A. Like I said a few times, after 2004, the most 15:28:17</p> <p>24 important topic was the speed at which the shift from the 15:28:25</p> <p>25 CRT TV to the thin-screen TV was being made and how each 15:28:28</p>	<p>1 information about SDI or LPD or any of your other 15:31:16</p> <p>2 competitors, and yet you have it; is that correct? 15:31:20</p> <p>3 MR. YOHAI: Objection. Compound question. 15:31:39</p> <p>4 THE WITNESS: So then, at that time, I didn't 15:31:50</p> <p>5 know that such documents existed. 15:31:52</p> <p>6 Q. BY MR. LAMBRINOS: Who is in charge of the 15:31:57</p> <p>7 production support center in this time period, in 2006? 15:31:59</p> <p>8 A. Well, I could be wrong, but I think it was a 15:32:18</p> <p>9 person called Hino. 15:32:21</p> <p>10 Q. Who does Hino report to? 15:32:23</p> <p>11 A. The reporting stops at Hino. 15:32:31</p> <p>12 Q. Hino reports to no one? 15:32:37</p> <p>13 A. Hino's place would work on improving the 15:32:59</p> <p>14 production efficiency and improve -- and general 15:33:04</p> <p>15 improvements. So those improvements that are made by 15:33:07</p> <p>16 Hino's subordinates would be reported to Mr. Hino. 15:33:10</p> <p>17 Q. And who would give Mr. Hino instructions about 15:33:14</p> <p>18 how to carry out his responsibilities? 15:33:16</p> <p>19 A. My recollection is vague, and I don't remember 15:34:01</p> <p>20 if Mr. Hino was there in 2006 or not. I won't know 15:34:06</p> <p>21 unless if I check on it, but at a certain time, Mr. Hino 15:34:09</p> <p>22 had that responsibility. And then when MTPD was formed, 15:34:14</p> <p>23 he was an officer, and he was an officer in charge of 15:34:21</p> <p>24 production support. 15:34:27</p> <p>25 Q. And so if Mr. Hino's department didn't perform 15:34:30</p>

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<p>1 as -- as it was expected, who would he have to answer to? 15:34:33</p> <p>2 A. In each site there was a person who was 15:35:51</p> <p>3 responsible for the management of that site. That would 15:35:55</p> <p>4 be the head of the factory or the president of the 15:35:58</p> <p>5 factory. And they would try to improve the efficiency of 15:36:01</p> <p>6 the production at their own site and improve the 15:36:07</p> <p>7 management of their own site. And they would ask 15:36:11</p> <p>8 Mr. Hino's organization for help. 15:36:14</p> <p>9 And the point would be whether in reply to that, 15:36:16</p> <p>10 Mr. Hino's group would be able to help the factory heads 15:36:20</p> <p>11 or not. So from a macro perspective, his role was to 15:36:25</p> <p>12 assist with improving management. 15:36:31</p> <p>13 Q. Was Mr. Hino's division the production supply 15:36:35</p> <p>14 center part of MTPD or was it part of Panasonic Japan? 15:36:38</p> <p>15 A. It was part of MTPD. 15:36:51</p> <p>16 MR. YOHAI: When you come to an appropriate 15:36:56</p> <p>17 spot. 15:36:58</p> <p>18 MR. LAMBRINOS: Yeah.</p> <p>19 Q. Who was Mr. Hino's boss? 15:36:59</p> <p>20 A. From 2004, it would be me? 15:37:01</p> <p>21 MR. LAMBRINOS: Thank you. Okay. Let's take a 15:37:10</p> <p>22 break. 15 minutes? 15:37:20</p> <p>23 MR. YOHAI: Sounds good. 15:37:24</p> <p>24 MR. LAMBRINOS: Is that okay? 15:37:25</p> <p>25 MR. YOHAI: Yeah, that's fine. 15:37:26</p>	<p>1 we'd identified -- sorry, what were their names again? 15:52:45</p> <p>2 A. Sakamoto and Otsubo. 15:52:52</p> <p>3 Q. Sakamoto and Otsubo. In what sense were they 15:52:54</p> <p>4 shareholders? Were they board members of MTPD? 15:52:57</p> <p>5 A. Were they part of the board? I don't remember. 15:53:40</p> <p>6 I don't remember whether Mr. Sakamoto and Mr. Otsubo were 15:53:48</p> <p>7 part of the board of directors. 15:53:48</p> <p>8 Q. So you reported to the board of directors from 15:53:51</p> <p>9 MTPD; correct? 15:53:54</p> <p>10 A. From 2004, I was the president of MTPD, and 15:54:43</p> <p>11 within Panasonic, there was the AVC group. And 15:54:48</p> <p>12 internally, although I don't remember the name, there was 15:54:52</p> <p>13 also something like a board there as well which I was a 15:54:54</p> <p>14 part of. And I reported to them at the monthly meeting 15:54:59</p> <p>15 which I talked about earlier this morning. 15:55:03</p> <p>16 Q. Okay. And then in the 2006 to 2011, did you 15:55:07</p> <p>17 report to MTPD's board? 15:55:10</p> <p>18 A. You're asking if I reported to the board of 15:55:30</p> <p>19 MTPD? 15:55:32</p> <p>20 Q. Yes. 15:55:48</p> <p>21 A. Well, for the MTPD board, I was reporting to 15:55:48</p> <p>22 them, yes. 15:55:53</p> <p>23 Q. Okay. Now let's talk about the 2004 to 2006 15:55:54</p> <p>24 time period, and I want to circle back to our discussion 15:55:57</p> <p>25 about these meetings with Panasonic AVC, if that's all 15:56:02</p>
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<p>1 (Recess.) 15:37:28</p> <p>2 MR. LAMBRINOS: Okay. We're back online after a 15:50:08</p> <p>3 break. 15:50:10</p> <p>4 MR. YOHAI: Just in terms of the time, the last 15:50:10</p> <p>5 piece I had from 2 o'clock to 3:37 as confirmed by the 15:50:14</p> <p>6 reporter. So we're at 11 hours and 7 minutes. 15:50:19</p> <p>7 MR. LAMBRINOS: Okay. 15:50:22</p> <p>8 Q. All right. Mr. Tobinaga, before we go on, who 15:50:28</p> <p>9 is your boss or who was your boss between 2004 and 2006, 15:50:31</p> <p>10 and then again between 2006 and 2011? 15:50:44</p> <p>11 THE INTERPRETER: Can the interpreter confirm 15:51:11</p> <p>12 something? 15:51:13</p> <p>13 MR. LAMBRINOS: Yep. 15:51:14</p> <p>14 THE WITNESS: Rather than boss, as I said 15:51:17</p> <p>15 earlier today, above me were the shareholders. So that 15:51:20</p> <p>16 would have been the people at AVC, Mr. Otsubo, or 15:51:25</p> <p>17 Mr. Sakamoto. 15:51:31</p> <p>18 Q. BY MR. LAMBRINOS: Can you clarify what you mean 15:51:34</p> <p>19 by the term "shareholders" in that last answer? 15:51:36</p> <p>20 A. For MTPD during the joint venture, Matsushita 15:51:38</p> <p>21 had 64.5 percent and Toshiba had 35.5 percent. So from 15:52:20</p> <p>22 my perspective, that's who I reported to. 15:52:24</p> <p>23 Q. Those would have been the board members of MTPD? 15:52:30</p> <p>24 A. Yes. 15:52:38</p> <p>25 Q. And when you say "shareholders," the two people 15:52:39</p>	<p>1 right with you. 15:56:07</p> <p>2 A. Okay. 15:56:20</p> <p>3 Q. These were monthly meetings that we talked about 15:56:20</p> <p>4 earlier. Do you recall that testimony? 15:56:22</p> <p>5 A. Yes. 15:56:31</p> <p>6 Q. Where were these monthly meetings that AVC held? 15:56:32</p> <p>7 A. A what is called headquarters for AVC company 15:56:43</p> <p>8 was located in Kadoma city. So that is where it was 15:56:55</p> <p>9 held. 15:57:00</p> <p>10 Q. Is that in Japan? 15:57:00</p> <p>11 A. I'm sorry, in Osaka. I'm sorry, I'm sorry. 15:57:02</p> <p>12 It's Moriguchi. 15:57:08</p> <p>13 Q. Is that in Japan? 15:57:08</p> <p>14 A. It's in Osaka. It's Osaka prefecture. 15:57:09</p> <p>15 Q. And that's in Japan? 15:57:18</p> <p>16 A. It is located in Japan in Osaka prefecture in 15:57:19</p> <p>17 Moriguchi city. 15:57:30</p> <p>18 Q. Are there other Panasonic offices at the same 15:57:32</p> <p>19 building where these meetings were being held? 15:57:35</p> <p>20 A. Basically that factory site was only for AVC. 15:57:53</p> <p>21 Q. Were these meetings held in a conference room at 15:57:57</p> <p>22 AVC's factory? 15:58:01</p> <p>23 A. Yes, conference room. 15:58:09</p> <p>24 Q. And when you attended these meetings at AVC, how 15:58:11</p> <p>25 many -- who attended these meetings? Starting in 2004, 15:58:15</p>

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<p>1 when you first -- starting in 2004, the earliest date 15:58:19</p> <p>2 we've talked about? 15:58:24</p> <p>3 A. Within AVC, we have its business. And so the 15:58:43</p> <p>4 person responsible for that business or businesses were 15:58:47</p> <p>5 there. 15:58:51</p> <p>6 Q. How many people are we talking about? 15:58:51</p> <p>7 A. I don't remember the exact number, but in my 15:59:03</p> <p>8 recollection, it was between 10 to 15 people. 15:59:05</p> <p>9 Q. Would these 10 to 15 people have been the 15:59:08</p> <p>10 division heads of all of the divisions of AVC? 15:59:12</p> <p>11 A. It would be the business group. In AVC, there 15:59:34</p> <p>12 was a TV business group, for example. So the head of the 15:59:37</p> <p>13 business group, for example, would be there. 15:59:40</p> <p>14 Q. And the head of every business group was there 15:59:42</p> <p>15 for AVC? 15:59:45</p> <p>16 A. Yes. 15:59:50</p> <p>17 Q. How long would these meetings take? 15:59:51</p> <p>18 A. Generally speaking, it was from 9 to 11. In my 16:00:06</p> <p>19 recollection, it was approximately two hours. 16:00:09</p> <p>20 Q. Would the head of each business group give a 16:00:13</p> <p>21 presentation at this meeting? 16:00:16</p> <p>22 A. In the morning, I explained about the one-page 16:00:33</p> <p>23 A4-size sheet of paper. Each head of business group 16:00:36</p> <p>24 would present based on what was on their sheet. 16:00:41</p> <p>25 Q. Would that one page be distributed to everybody 16:00:44</p>	<p>1 Q. Who would that have been in the 2004 to 2006 16:03:44</p> <p>2 time period? 16:03:48</p> <p>3 A. From 2004 to 2006, it was Mr. Otsubo, and from 16:03:49</p> <p>4 2006 to 2009, it was Mr. Sakamoto. 16:04:13</p> <p>5 Q. What was the purpose of these meetings? 16:04:17</p> <p>6 A. The fundamentals was basically to report on the 16:04:19</p> <p>7 business report -- results. 16:04:35</p> <p>8 Q. Were there other purposes? 16:04:38</p> <p>9 A. If there were topics at that time that was 16:04:56</p> <p>10 pertinent to AVC company as a whole, that this meeting 16:04:59</p> <p>11 would be used as a venue for sharing information. 16:05:03</p> <p>12 Q. Was another -- was a related purpose to that to 16:05:07</p> <p>13 coordinate your business activities within AVC? 16:05:11</p> <p>14 A. Coordinating within AVC, well, the term 16:05:35</p> <p>15 "coordinate" is a pretty broad term. So I'm not exactly 16:05:45</p> <p>16 sure what is meant by that. But if it was necessary, I 16:05:50</p> <p>17 think there may have been topics that would need to be 16:05:53</p> <p>18 coordinated, but I'm not really sure what you mean by 16:05:55</p> <p>19 coordinate. 16:05:58</p> <p>20 Q. Well, were you trying to align your business 16:05:59</p> <p>21 strategies between the tube-making entities and the 16:06:02</p> <p>22 finished-product-making entities at these meetings? 16:06:06</p> <p>23 A. In my recollection, there was hardly any of 16:06:30</p> <p>24 that. And also at that time, most of the report on the 16:06:33</p> <p>25 TV -- television finished products was about the 16:06:47</p>
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<p>1 attending the meeting prior to the meeting? 16:00:47</p> <p>2 A. It was distributed on the day of the meeting. 16:01:01</p> <p>3 Q. So how many of these one-page summaries would 16:01:04</p> <p>4 you receive typically at these meetings? 16:01:07</p> <p>5 A. It would depend on the time or when it was, but 16:01:09</p> <p>6 it was approximately five or around that number. 16:01:25</p> <p>7 Q. Would the division heads of Panasonic AVC's 16:01:28</p> <p>8 finished product divisions attend these meetings and give 16:01:32</p> <p>9 presentations -- well, attend these meetings. Strike 16:01:36</p> <p>10 that. 16:01:39</p> <p>11 A. Yes. 16:01:49</p> <p>12 Q. What would they present on, what topics? 16:01:56</p> <p>13 A. It was basically the same. They would present 16:01:59</p> <p>14 the management numbers or the business numbers, the 16:02:23</p> <p>15 profits from the previous month in a chart form and then 16:02:28</p> <p>16 talk on the right side about -- talk about the comments 16:02:33</p> <p>17 in regards to that. 16:02:37</p> <p>18 Q. Who else attended these meetings besides the 16:02:39</p> <p>19 division heads and yourself? 16:02:43</p> <p>20 A. In the AVC headquarters, there was also an 16:02:45</p> <p>21 administration organization and the heads of personnel, 16:03:16</p> <p>22 accounting, and business planning also attended. 16:03:21</p> <p>23 Q. Who is the highest ranking AVC executive to 16:03:27</p> <p>24 attend these meetings? 16:03:30</p> <p>25 A. The president of AVC company. 16:03:32</p>	<p>1 thin-screen products. 16:06:50</p> <p>2 Q. What would the outcome of these meetings 16:06:51</p> <p>3 typically be? Did you receive a summary email that 16:06:54</p> <p>4 summarized everything that was presented? 16:06:58</p> <p>5 A. There may have been, but I don't have precise 16:07:20</p> <p>6 recollection. 16:07:23</p> <p>7 Q. What did you do to prepare for these meetings? 16:07:31</p> <p>8 A. I would compile the results of the business for 16:07:44</p> <p>9 the previous month and make a projection of the business 16:07:48</p> <p>10 for the coming month. 16:08:05</p> <p>11 Q. How long did this take to -- how long did this 16:08:10</p> <p>12 take? 16:08:13</p> <p>13 A. Like I explained this morning, it's the head of 16:08:33</p> <p>14 the accounting at MTPD that would put this information 16:08:36</p> <p>15 together. So all the time that was needed was for me to 16:08:39</p> <p>16 receive that report. 16:08:42</p> <p>17 Q. And who is the head of accounting at MTPD during 16:08:44</p> <p>18 this time period of 2004 to 2006? 16:08:47</p> <p>19 A. Mr. Morishita. 16:08:55</p> <p>20 Q. And from 2006 to 2011? 16:08:58</p> <p>21 A. Mr. Morishita was there until 2010. 16:09:05</p> <p>22 Q. Did you bring any other documents with you 16:09:10</p> <p>23 besides the one-page document you've described earlier? 16:09:11</p> <p>24 A. Basically we are required to be able to explain 16:09:29</p> <p>25 everything within that one page. 16:09:33</p>

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<p>1 Q. Required by whom? 16:09:34</p> <p>2 A. As an AVC meeting rule, there was an internal 16:09:45</p> <p>3 rule that said that the report had to be contained within 16:09:49</p> <p>4 that one page. 16:09:53</p> <p>5 Q. Where are those rules located? 16:09:57</p> <p>6 A. That was not necessarily written down on paper. 16:10:05</p> <p>7 It was something I heard orally. 16:10:07</p> <p>8 Q. From who? 16:10:09</p> <p>9 A. Well, according to the way the finances or 16:10:43</p> <p>10 rather the accounting worked, one of the roles they had 16:10:47</p> <p>11 was to use management tools, and the head of the AVC 16:10:51</p> <p>12 company decided on what format it would be. That would 16:10:57</p> <p>13 be relayed to Mr. Morishita, and then I would report 16:11:01</p> <p>14 accordingly. 16:11:06</p> <p>15 Q. Who instructed you to attend these meetings? 16:11:10</p> <p>16 A. In my recollection, it was Mr. Morishita. Oh, 16:11:30</p> <p>17 I'm sorry. Prior to me, the president was a Mr. Ueda, 16:11:43</p> <p>18 and he was -- attended in 2003. So I continue on in that 16:11:48</p> <p>19 way. 16:11:54</p> <p>20 MR. YOHAI: I'm just going to lodge an objection 16:11:54</p> <p>21 here. Obviously you're entitled to use your time any way 16:11:56</p> <p>22 you want. He is here obviously on manufacturing issues, 16:11:59</p> <p>23 and I think the questioning in the last half-hour has 16:12:03</p> <p>24 become a little off tangent from what he is prepared to 16:12:08</p> <p>25 testify about.</p>	<p>1 And from what I -- I think it was towards the 16:15:13</p> <p>2 latter part of 2004 -- or I'm sorry, it could be 2005, I 16:15:18</p> <p>3 don't really remember exactly. 16:15:23</p> <p>4 MR. YOHAI: Ms. Reporter, you have Mr. Masushita 16:15:25</p> <p>5 went to Toshiba. I think he said Mr. Morishita, not 16:15:29</p> <p>6 Matsushita. I don't know whether that's clear on the 16:15:35</p> <p>7 final. I just wanted it to be clear for the record. 16:15:38</p> <p>8 THE WITNESS: Yeah. It is Morishita. 16:15:53</p> <p>9 Q. BY MR. LAMBRINOS: And what did Mr. Morishita 16:15:56</p> <p>10 report to Toshiba as the head of Toshiba's accounting 16:15:58</p> <p>11 division? 16:16:00</p> <p>12 A. It was the same. It was the business results 16:16:10</p> <p>13 that he reported on. 16:16:13</p> <p>14 Q. The same as -- the same in content as your 16:16:14</p> <p>15 monthly meetings at PAVC? 16:16:18</p> <p>16 A. Basically they were the same. 16:16:29</p> <p>17 Q. Who was the head of accounting at Toshiba during 16:16:31</p> <p>18 the 2004 to 2006 time period and the 2006 to 2011 time 16:16:34</p> <p>19 period? 16:16:52</p> <p>20 A. I forgot their -- forgot the name. 16:16:52</p> <p>21 Q. The two occasions when you attended, who did you 16:16:57</p> <p>22 meet with? 16:17:06</p> <p>23 A. The same member. 16:17:06</p> <p>24 Q. What was the major decision that had to be made? 16:17:08</p> <p>25 A. The closing of Ohio in America. 16:17:18</p>
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<p>1 You are free to use your time as you wish, 16:12:13</p> <p>2 personal knowledge, but I would just note that for the 16:12:15</p> <p>3 record. 16:12:19</p> <p>4 MR. LAMBRINOS: There is a topic under two here. 16:12:19</p> <p>5 Q. Who instructed Mr. Ueda to attend these 16:12:55</p> <p>6 meetings? 16:13:00</p> <p>7 A. I don't know. 16:13:00</p> <p>8 Q. Did you report on the outcome of these meetings 16:13:01</p> <p>9 on anyone else at Panasonic? 16:13:03</p> <p>10 A. No, I did not. 16:13:12</p> <p>11 Q. I'm going to hand you what I'm just now 16:13:19</p> <p>12 marking -- oh, did you report to anybody at Toshiba under 16:13:23</p> <p>13 the scope of your authority as president of MTPD? 16:13:28</p> <p>14 A. I did go there once or twice. 16:13:47</p> <p>15 Q. And on what occasion? What were the dates and 16:13:50</p> <p>16 who did you talk to? 16:13:52</p> <p>17 A. To talk about the relationship of Toshiba. 16:14:13</p> <p>18 There was also monthly reporting that was done to 16:14:15</p> <p>19 Toshiba. Mr. Morishita went to the person who was in 16:14:18</p> <p>20 charge of accounting at Toshiba to give the report. 16:14:21</p> <p>21 When I went, it was when a major decision had to 16:14:57</p> <p>22 be made, such as what I mentioned earlier, when a 16:15:01</p> <p>23 factory -- when the situation was such that a decision 16:15:05</p> <p>24 had to be made whether a factory site would be closed or 16:15:07</p> <p>25 not, then there was a case in which I did visit them. 16:15:10</p>	<p>1 MR. LAMBRINOS: Thank you. I am going to hand 16:17:22</p> <p>2 you now what I'm having marked as 265. 16:17:26</p> <p>3 (Exhibit 265, MTPD-0468623 - 8631, marked for</p> <p>4 identification.)</p> <p>5 Q. BY MR. LAMBRINOS: Mr. Tobinaga? 16:17:48</p> <p>6 A. Yes. 16:17:50</p> <p>7 Q. What I'm handing you is just marked as 265. 16:17:50</p> <p>8 You'll note that there's a cover email followed by four 16:17:54</p> <p>9 attachments. I'd like to just go through the attachments 16:18:01</p> <p>10 one at a time and let me know if -- we're just going to 16:18:04</p> <p>11 go through them one at a time. 16:18:11</p> <p>12 MR. YOHAI: Why don't you take a moment to look 16:18:26</p> <p>13 through the documents. It's a big stack of documents. 16:18:28</p> <p>14 MR. LAMBRINOS: Let me show you how it's put 16:18:33</p> <p>15 together. So what I'm going to do is I'm going to read a 16:18:35</p> <p>16 Bates Number. This document right here, Mr. Tobinaga 16:18:39</p> <p>17 (indicating). Bates Number MTPD-0468628P-0001. 16:18:41</p> <p>18 Q. Okay. This is a multipage PowerPoint. If you 16:18:54</p> <p>19 want to look at it and let me know after you've had a 16:18:56</p> <p>20 look at it if you can tell me what this is. 16:19:00</p> <p>21 MR. YOHAI: If you're offering this as one 16:19:18</p> <p>22 exhibit, I'd like for him to look through the whole 16:19:20</p> <p>23 exhibit rather than just pointing at one page or one 16:19:23</p> <p>24 document. So take a look through the whole exhibit. 16:19:27</p> <p>25 Make sure you look at the whole exhibit. 16:19:36</p>

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<p>1 Q. BY MR. LAMBRINOS: Mr. Tobinaga, what I'd like 16:20:00</p> <p>2 to point out to you, on the very front page, the Bates 16:20:01</p> <p>3 Number ending in MTPD-0468623, there's a group of 16:20:05</p> <p>4 Japanese characters about a third of the way down, and 16:20:11</p> <p>5 that appears to be your name, Tobinaga? 16:20:15</p> <p>6 A. Yes. 16:20:43</p> <p>7 Q. That's you; is that correct? 16:20:43</p> <p>8 A. Yes, it is. 16:20:47</p> <p>9 Q. Okay. So it appears that you were sent this 16:20:48</p> <p>10 email with these multiple attachments. And so now I'm 16:20:51</p> <p>11 asking you to look at them and familiarize yourself. And 16:20:54</p> <p>12 when you're done with that, I'll have some specific 16:20:57</p> <p>13 questions about these documents. 16:20:59</p> <p>14 MR. YOHAI: Just so I'm clear, you are pointing 16:21:13</p> <p>15 him down here to this email? 16:21:16</p> <p>16 MR. LAMBRINOS: That's right. 16:21:17</p> <p>17 MR. YOHAI: Okay. And then there is a cover -- 16:21:19</p> <p>18 there's a cover email on top of that; correct? 16:21:21</p> <p>19 MR. LAMBRINOS: Correct. 16:21:23</p> <p>20 MR. YOHAI: And the cover email has the four 16:21:24</p> <p>21 attachments on top of it? 16:21:26</p> <p>22 MR. LAMBRINOS: That's correct. 16:21:28</p> <p>23 MR. YOHAI: Okay. Is he in the lines in the 16:21:29</p> <p>24 Japanese on top there? 16:21:32</p> <p>25 MR. LEHMAN: I believe so. 16:21:40</p>	<p>1 March -- the document would have been written after the 16:28:08</p> <p>2 March email. 16:28:09</p> <p>3 You said that the four were listed. Is it the 16:28:10</p> <p>4 same four that are listed on the top. 16:28:13</p> <p>5 MR. LEHMAN: They're more a description of it. 16:28:16</p> <p>6 So some of them look like they're the same. Others it's 16:28:18</p> <p>7 a little bit difficult to tell if it's the same. 16:28:21</p> <p>8 MR. YOHAI: Okay. Obviously, we'll ask him what 16:28:24</p> <p>9 he remembers. Let's just not inject information that we 16:28:27</p> <p>10 don't know -- 16:28:29</p> <p>11 MR. LAMBRINOS: Right. No, I'm justifying the 16:28:29</p> <p>12 portion of the email that appears to, you know, state -- 16:28:31</p> <p>13 MR. LEHMAN: What's attached. 16:28:34</p> <p>14 MR. YOHAI: Well, it indicates things are 16:28:35</p> <p>15 attached, but I don't know whether those are the same 16:28:37</p> <p>16 things that you have attached here. In other words, it 16:28:39</p> <p>17 appears that you've attached here what's in the top 16:28:41</p> <p>18 email. 16:28:44</p> <p>19 MR. LAMBRINOS: Okay. Well, we'll see what he 16:28:44</p> <p>20 knows about each document. 16:28:48</p> <p>21 MR. YOHAI: If he does. 16:28:49</p> <p>22 MR. LAMBRINOS: Okay. Can we discuss these 16:28:50</p> <p>23 documents. 16:28:51</p> <p>24 THE WITNESS: Yes. 16:28:54</p> <p>25 Q. BY MR. LAMBRINOS: Okay. The first document I'd 16:28:55</p>
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<p>1 MR. YOHAI: So you represented to him that he 16:21:41</p> <p>2 was sent these four. I don't know if that's true. 16:21:43</p> <p>3 MR. LAMBRINOS: Well, let's confirm whether he 16:21:47</p> <p>4 has received these four and whether they are otherwise 16:21:49</p> <p>5 familiar to him. 16:21:52</p> <p>6 MR. YOHAI: Let him look at the whole exhibit 16:21:52</p> <p>7 and then he can answer the question. 16:21:55</p> <p>8 THE WITNESS: Okay. 16:21:58</p> <p>9 MR. LAMBRINOS: Moving down to the name, my 16:24:43</p> <p>10 check translator has just informed me that these 16:24:45</p> <p>11 characters right here says that these files are attached, 16:24:48</p> <p>12 and then lists the attached files, this portion of the 16:24:50</p> <p>13 Japanese characters right there (indicating.) 16:24:53</p> <p>14 MR. YOHAI: Counsel, this attachment of the doc 16:27:37</p> <p>15 here? 16:27:40</p> <p>16 MR. LAMBRINOS: Uh-huh. 16:27:40</p> <p>17 MR. YOHAI: I think that means April 24th, '06. 16:27:41</p> <p>18 MR. LAMBRINOS: Uh-huh. 16:27:44</p> <p>19 MR. YOHAI: That would be after the -- after the 16:27:45</p> <p>20 March date. 16:27:50</p> <p>21 MR. LAMBRINOS: That doesn't necessarily -- does 16:27:52</p> <p>22 it look like it's attached up there? I think it is. 16:27:54</p> <p>23 MR. YOHAI: So but my point is if that's the 16:27:57</p> <p>24 case, then that may not be the same attachment that 16:28:00</p> <p>25 they're referring to in the May email because the 16:28:03</p>	<p>1 like to discuss is this document (indicating). It ends 16:28:56</p> <p>2 in Bates Number MTPD-0468631. 16:29:00</p> <p>3 Do you see that? 16:29:04</p> <p>4 A. Yes. 16:29:11</p> <p>5 Q. This document appears identical in form to the 16:29:11</p> <p>6 document we looked at. I believe it was 263, which was a 16:29:14</p> <p>7 line status report from July -- or excuse me, June of 16:29:19</p> <p>8 2006. 16:29:24</p> <p>9 Do you recall that? 16:29:25</p> <p>10 A. It is similar. 16:29:41</p> <p>11 Q. And this spreadsheet is from March 2006; is it 16:29:43</p> <p>12 not? 16:29:54</p> <p>13 A. Yes. March is -- March. 16:29:54</p> <p>14 Q. Yes. The one we're looking at now is from 16:30:04</p> <p>15 March 2006. Yes? 16:30:07</p> <p>16 A. Yes. 16:30:08</p> <p>17 Q. And this March 2006 time period is prior to the 16:30:10</p> <p>18 time period in July 2006 when you became concerned about 16:30:13</p> <p>19 the flat-screen market. True? 16:30:16</p> <p>20 MR. YOHAI: Objection. Mischaracterizes his 16:30:33</p> <p>21 testimony. 16:30:35</p> <p>22 THE WITNESS: You're talking about March 2006; 16:30:36</p> <p>23 right? 16:30:43</p> <p>24 Q. BY MR. LAMBRINOS: Yes. 16:30:46</p> <p>25 A. Yes. 16:30:46</p>

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<p>1 Q. Okay. So have you seen this document before? 16:30:47</p> <p>2 A. This is the first time I see it today, this one. 16:30:53</p> <p>3 Q. Do you think that when you received this email, 16:30:56</p> <p>4 the cover email, and it lists the attachments right down 16:30:58</p> <p>5 here, that there were different documents being attached 16:31:02</p> <p>6 and that this document was not attached? Is that your 16:31:06</p> <p>7 testimony? 16:31:21</p> <p>8 A. I can't tell at all. 16:31:21</p> <p>9 Q. Well, I'll point out that in the cover email, so 16:31:25</p> <p>10 there's an email where your name appears, then there's a 16:31:28</p> <p>11 section that's listing what's attached, then there are 16:31:31</p> <p>12 some Japanese characters right there that translate to 16:31:34</p> <p>13 CRT line -- 16:31:38</p> <p>14 MR. LEHMAN: The competitor line status, Kyogo 16:31:39</p> <p>15 line.</p> <p>16 Q. BY MR. LAMBRINOS: The competitor line status 16:31:44</p> <p>17 document attached. 16:31:46</p> <p>18 Do you see that? 16:31:47</p> <p>19 A. Yes.</p> <p>20 Q. So that email confirms that you received the 16:32:13</p> <p>21 competitor line status document on March 31st, 2006, in 16:32:15</p> <p>22 the regular course of business and scope of your 16:32:21</p> <p>23 responsibilities as president of MTPD; correct? 16:32:24</p> <p>24 MR. YOHAI: Objection to the form of the 16:32:53</p> <p>25 question. 16:32:55</p>	<p>1 the Toshiba employees. 16:36:31</p> <p>2 So there was more -- there was personnel issues 16:36:34</p> <p>3 that we were trying to handle. And at the same time, at 16:36:36</p> <p>4 this time, we had that situation in Germany where the 16:36:40</p> <p>5 employees were in an uproar, we had to deal with the 16:36:43</p> <p>6 local government, we had the restructuring. 16:36:46</p> <p>7 And so all of that pressure on me made me sick, 16:36:49</p> <p>8 and so I wasn't really able to pay attention to the 16:36:52</p> <p>9 regular business, and I'm really sorry about that, but 16:36:55</p> <p>10 that really was what happened. It was the time of 16:36:59</p> <p>11 restructuring. 16:37:03</p> <p>12 Q. BY MR. LAMBRINOS: You were too busy to read the 16:37:04</p> <p>13 competitor line status report? 16:37:09</p> <p>14 A. I had no time to read that. That was true. And 16:37:13</p> <p>15 so in my recollection, what I remember is not reading 16:37:22</p> <p>16 email that had to do with other matters. 16:37:25</p> <p>17 Q. And you didn't go back and catch up on your 16:37:28</p> <p>18 email after you got back to the office? 16:37:30</p> <p>19 A. I would glance through the titles and only pick 16:37:50</p> <p>20 up those that I was concerned about that had something to 16:37:54</p> <p>21 do -- that was related, like if it had to do with the ABC 16:37:57</p> <p>22 president or had to do with personnel matters. 16:38:02</p> <p>23 Q. So while you received this, you don't know 16:38:07</p> <p>24 whether you opened the email and reviewed the attachment 16:38:10</p> <p>25 and looked at this actual document that ends in -- that 16:38:12</p>
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<p>1 MR. LAMBRINOS: Please go ahead and answer. 16:32:56</p> <p>2 THE WITNESS: My -- the name does appear here so 16:33:10</p> <p>3 there is a possibility that it was distributed. But to 16:33:13</p> <p>4 be honest, looking at the date of this email, this was 16:33:23</p> <p>5 the time period when I really did not have the ability to 16:33:25</p> <p>6 be reading emails. 16:33:30</p> <p>7 In closing of Germany, I had to go to the local 16:34:12</p> <p>8 government in Eslingen, and that was the time when the 16:34:18</p> <p>9 employees were in an uproar so I had to deal with that. 16:34:22</p> <p>10 And during that time, February or March 16:34:27</p> <p>11 sometime, I also had some kind of illness. I can't 16:34:30</p> <p>12 remember when it was, but I was sick. And so I had taken 16:34:34</p> <p>13 some leave as well. 16:34:38</p> <p>14 So it wasn't a time when I was able to engage in 16:34:39</p> <p>15 the normal business. 2006 March was the time when I was 16:34:43</p> <p>16 not able to conduct the business, internal business in a 16:34:47</p> <p>17 normal manner, and I wasn't reading emails. 16:34:51</p> <p>18 In addition, meanwhile, because the business was 16:35:10</p> <p>19 going to be pulled back, that would mean that the 16:35:14</p> <p>20 Japanese staff also needed to be decreased in number. We 16:35:18</p> <p>21 had to conduct a restructuring, and I had to think about 16:35:22</p> <p>22 what to do with those staff members as well. 16:35:28</p> <p>23 And I think it was in March 2006. That was when 16:36:13</p> <p>24 the situation with the joint venture with Toshiba had 16:36:17</p> <p>25 been decided so we were in confusion about how to return 16:36:22</p>	<p>1 ends in 8631? 16:38:16</p> <p>2 A. I don't re- -- have recollection as I sit here 16:38:40</p> <p>3 today of reading the email, whether I read the email or 16:38:49</p> <p>4 not. I am in a -- the addressee so there's a possibility 16:38:53</p> <p>5 that I did receive it, but I don't remember if I read it 16:38:59</p> <p>6 or not. 16:39:02</p> <p>7 Q. And have you ever received or read any other CRT 16:39:03</p> <p>8 line status report similar to this document I'm holding 16:39:06</p> <p>9 in my hand (indicating)? 16:39:09</p> <p>10 MR. YOHAI: Objection to the compound, received 16:39:29</p> <p>11 or read. 16:39:31</p> <p>12 MR. LAMBRINOS: Fine. Strike that question. 16:39:31</p> <p>13 Q. Please pick up the PowerPoint that ends in 8628. 16:39:42</p> <p>14 So it's MTPD-046828, and it looks like this. 16:39:44</p> <p>15 Do you know what this is? Do you know what this 16:39:49</p> <p>16 is? 16:40:11</p> <p>17 A. I can understand what is in it, but I don't know 16:40:19</p> <p>18 why this was created. As I sit here today, I don't know 16:40:23</p> <p>19 why this was created. 16:40:28</p> <p>20 Q. How would it be used within MTPD? 16:40:29</p> <p>21 MR. YOHAI: Objection. Calls for speculation. 16:40:35</p> <p>22 THE WITNESS: I don't know. 16:40:40</p> <p>23 Q. BY MR. LAMBRINOS: If you flip to the -- you 16:40:41</p> <p>24 said in an earlier part of your question, you said you 16:40:43</p> <p>25 understand what is in it. What do you understand to be 16:40:46</p>

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<p>1 in it? 16:40:48</p> <p>2 A. I'm reading the Japanese, and I understand that 16:40:49</p> <p>3 it has to do with sales. I understand what's written in 16:41:06</p> <p>4 Japanese. 16:41:09</p> <p>5 Q. Do you see the column on the top of the third 16:41:10</p> <p>6 page that's in yellow and there's a -- in the center it 16:41:13</p> <p>7 says -- and this is the Bates Number ending in 16:41:16</p> <p>8 8628P-0003. It says "G/rate." 16:41:22</p> <p>9 Do you know what that means? 16:41:26</p> <p>10 A. G rate, I don't know. I don't know. 16:41:51</p> <p>11 Q. Okay. All right. And then the other two -- or 16:41:55</p> <p>12 well, the next -- the next document that ends in 46830, 16:41:58</p> <p>13 do you see this (indicating)? 16:42:05</p> <p>14 A. Yes. 16:42:08</p> <p>15 Q. Do you know what this is? 16:42:11</p> <p>16 A. It says that it's supply and demand 16:42:12</p> <p>17 investigation. 16:42:25</p> <p>18 Q. Supply and demand investigation. And is this 16:42:27</p> <p>19 the type of information and document that would be used 16:42:30</p> <p>20 in the regular course of business at MTPD? 16:42:32</p> <p>21 MR. YOHAI: Objection to the form of the 16:42:47</p> <p>22 question. 16:42:48</p> <p>23 THE WITNESS: No, it isn't. 16:43:02</p> <p>24 Q. BY MR. LAMBRINOS: What is it and how would it 16:43:03</p> <p>25 be used? 16:43:08</p>	<p>1 THE INTERPRETER: Can the interpreter confirm 16:46:23</p> <p>2 something? 16:46:25</p> <p>3 MR. LAMBRINOS: Please do. 16:46:26</p> <p>4 THE WITNESS: And the company called DDI in 16:46:32</p> <p>5 Indonesia was focusing on producing products for Funai. 16:46:35</p> <p>6 That's a company name. So it focused on producing CPTs 16:46:43</p> <p>7 for Funai. And the -- in Germany, in Europe was also 16:46:48</p> <p>8 focusing on the flat tubes. 16:47:02</p> <p>9 Q. BY MR. LAMBRINOS: And so did each factory have 16:47:06</p> <p>10 a few models that predominated, given what you've just 16:47:08</p> <p>11 said? 16:47:12</p> <p>12 A. Taking Ohio as an example, the example of Ohio 16:47:44</p> <p>13 is that they're -- most of the products that they were 16:47:49</p> <p>14 selling was for the capt- -- was to the captive Panasonic 16:47:55</p> <p>15 set manufacture or set plant. So most of the products 16:48:01</p> <p>16 that it was producing specialized in that. That was an 16:48:07</p> <p>17 example of Ohio. 16:48:10</p> <p>18 Q. When you say captive manufacturer or capture 16:48:11</p> <p>19 customer, I've heard you say, what do you mean by that? 16:48:15</p> <p>20 A. The Panasonic TV set factory was our customer. 16:48:35</p> <p>21 So that is why we used the term "captive." 16:48:39</p> <p>22 Q. So a captive sale is one that goes to another 16:48:44</p> <p>23 Panasonic entity? 16:48:47</p> <p>24 A. Yes. We use the term "captive" for when we 16:49:00</p> <p>25 supply to a Panasonic group TV set factory. 16:49:10</p>
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<p>1 A. I myself have never used this. So at this 16:43:16</p> <p>2 stage, I don't know how it would have been used. 16:43:20</p> <p>3 Q. The last document? 16:43:22</p> <p>4 A. It's 2006; right? 16:43:26</p> <p>5 Q. Yes. The last document that ends -- it's 16:43:28</p> <p>6 MTPD-0468629 is another CRT -- or excuse me, CPT line 16:43:32</p> <p>7 status chart. 16:43:39</p> <p>8 Have you ever seen this document? 16:43:43</p> <p>9 A. I don't have recollection of this, either. 16:44:03</p> <p>10 Q. All right. Thank you. 16:44:05</p> <p>11 Okay. I'd like to move on to topic number 3, 16:44:12</p> <p>12 which is a description of the different types of CRT 16:44:15</p> <p>13 products you produced during the relevant time period. 16:44:18</p> <p>14 We've already -- including the manufacturing facility 16:44:21</p> <p>15 technology at each branch location. We've already 16:44:22</p> <p>16 discussed this a little bit so I really only have a 16:44:25</p> <p>17 couple questions. 16:44:28</p> <p>18 So the first question under this topic: Did 16:44:29</p> <p>19 each factory at MTPD have a few models that predominated 16:44:33</p> <p>20 in their production over time, or did some factories 16:44:38</p> <p>21 focus on a narrow range of models and other factories 16:44:42</p> <p>22 produced a wide range of models? 16:44:46</p> <p>23 A. Well, in the United States, the policy was that 16:45:57</p> <p>24 it would focus on the large size, and in particular, the 16:46:02</p> <p>25 flat screen. So that was how it was done. 16:46:07</p>	<p>1 Q. What percentage of your sales are captive sales? 16:49:16</p> <p>2 A. I don't recall the exact number, but the image 16:49:34</p> <p>3 that I have that I recall is that more than half was 16:49:41</p> <p>4 going to Panasonic. 16:49:44</p> <p>5 MR. YOHAI: Yeah, and I'll just object that he's 16:49:46</p> <p>6 not designated on those questions. There's another 16:49:48</p> <p>7 witness who can tell you about that information. 16:49:50</p> <p>8 Q. BY MR. LAMBRINOS: Move on to topic number 4, a 16:50:05</p> <p>9 description of the logistical and geographical flow of 16:50:07</p> <p>10 CRT products. 16:50:11</p> <p>11 My first question is who are Panasonic's major 16:50:12</p> <p>12 customers, captive and non-captive? 16:50:15</p> <p>13 MR. YOHAI: Your question wasn't so limited, but 16:50:37</p> <p>14 I assume you mean for CRT? 16:50:40</p> <p>15 MR. LAMBRINOS: For CRT tubes. 16:50:42</p> <p>16 MR. YOHAI: Okay. 16:50:44</p> <p>17 THE WITNESS: In which region are you referring 16:50:53</p> <p>18 to? All regions? 16:50:55</p> <p>19 Q. BY MR. LAMBRINOS: Global. 16:50:58</p> <p>20 A. In the U.S., as I said earlier, Panasonic was 16:51:12</p> <p>21 the main, the biggest customer. And aside from that, I 16:51:15</p> <p>22 don't have recollection of their being large customers. 16:51:19</p> <p>23 Q. What categories -- did Panasonic -- did 16:51:26</p> <p>24 Panasonic get different pricing terms for the tubes they 16:51:33</p> <p>25 bought than your non-captive customers? 16:51:36</p>

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1	THE INTERPRETER: Can the interpreter confirm	16:52:17	1	in that way.	16:56:55
2	something?	16:52:19	2	Q. And were the prices to any of your other	16:56:56
3	THE WITNESS: To answer that in terms of the	16:52:24	3	customers besides Funai and Panasonic pegged or based on	16:56:59
4	United States, Ohio -- because from 2004 on, there was	16:52:26	4	that price?	16:57:04
5	only Ohio -- in Ohio, the -- what was being produced were	16:52:30	5	A. No, basically customers would send us their	16:57:24
6	flat tubes, and the technology that was used was SST.	16:52:36	6	requested price, and then we would conduct a negotiation	16:57:29
7	There were no other -- there were no other CRT	16:52:41	7	to determine ultimately what the price would be, and that	16:57:32
8	manufacturers using that technology. So the price was	16:52:45	8	was the basic format that we took.	16:57:34
9	independent of others.	16:52:50	9	Q. Did you use a pricing matrix or pricing	16:57:36
10	Q. BY MR. LAMBRINOS: Who were your largest	16:52:56	10	algorithm to determine what was a fair price in these	16:57:39
11	customers -- well, yeah, who were your large customers	16:52:57	11	negotiations?	16:57:43
12	outside of the United States?	16:53:00	12	A. I wasn't involved in setting individual prices.	16:58:08
13	A. You mean when shipping, what was shipped from	16:53:09	13	I had left that to the person who was in charge in sales.	16:58:12
14	U.S., Ohio?	16:53:16	14	So I don't have knowledge about how the prices were set.	16:58:16
15	MR. YOHAI: No.	16:53:18	15	Q. Were most of Panasonic's CRT customers	16:58:19
16	Q. BY MR. LAMBRINOS: Any MTPD customer in the	16:53:20	16	manufacturers of finished products as opposed to	16:58:23
17	world outside of the U.S., who were your largest	16:53:21	17	distributors?	16:58:25
18	customers?	16:53:24	18	A. So -- what do you mean by distributor?	16:58:42
19	A. Volume wise, it was Funai, which I mentioned	16:53:52	19	Q. Oh --	16:58:46
20	earlier. We had a joint venture with them in Indonesia.	16:53:56	20	MR. YOHAI: Did most of them make TVs, finished	16:58:48
21	So volume wise, Funai was the largest, in my	16:54:01	21	products, as opposed to being like a retailer, Best Buy	16:58:51
22	recollection.	16:54:04	22	or something?	16:58:54
23	Q. And did customers the size of Funai get special	16:54:04	23	MR. LAMBRINOS: Buying --	16:58:56
24	pricing terms?	16:54:08	24	THE WITNESS: We sent them to manufacturers who	16:59:09
25	A. DDI company was a joint venture company with	16:54:25	25	produced TVs.	16:59:11
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1	Funai. So the prices were determined following a certain	16:54:28	1	Q. BY MR. LAMBRINOS: Did Panasonic distinguish	16:59:15
2	rule.	16:54:32	2	between customers who put their own brand names on	16:59:19
3	Q. What's DDI?	16:54:32	3	products and those that assembled and manufactured CRT	16:59:22
4	A. It's the factory in Indonesia.	16:54:36	4	manufactured products for others?	16:59:26
5	Q. Oh, it's the Panasonic factory in Indonesia?	16:54:40	5	MR. YOHAI: Objection to the form of the	16:59:49
6	A. It was a subsidiary of MTPD.	16:54:47	6	question.	16:59:51
7	Q. And --	16:54:54	7	THE WITNESS: No, no, there was no difference.	16:59:56
8	A. But that company was a joint venture.	16:54:54	8	Q. BY MR. LAMBRINOS: Do CRT finished product	17:00:04
9	Q. And so what rule determined what prices Funai	16:54:56	9	manufacturers typically use more than one supplier of a	17:00:06
10	would pay for tubes from MTPD?	16:54:59	10	given CRT? For example, does a customer buy a 15-inch	17:00:09
11	THE INTERPRETER: Can the interpreter check	16:55:27	11	CDT from more than one supplier?	17:00:16
12	something?	16:55:29	12	A. I don't know -- I can't -- I don't really know	17:00:39
13	THE WITNESS: Funai was a joint venture. So	16:55:47	13	about for the case of the monitor business.	17:00:48
14	they were able to look at all of the costs: The costs	16:55:50	14	Q. What about for TVs?	17:00:50
15	for the materials, for the labor, all costs. So all of	16:55:53	15	A. For TVs, depending on the customer, there are	17:00:57
16	the cost information was openly shared, and so it was	16:55:56	16	many cases in which there were multiple purchases.	17:01:01
17	cost plus a set margin.	16:55:59	17	Q. You mean multiple vendors?	17:01:05
18	Q. BY MR. LAMBRINOS: Is that the same way that the	16:56:04	18	A. Yes. So there were cases in which a certain TV	17:01:19
19	transfer price or that the price that MTPD charged	16:56:06	19	manufacturing company would buy the CRTs from us and buy	17:01:24
20	Panasonic was set?	16:56:11	20	it from others as well.	17:01:27
21	A. No, it wasn't.	16:56:29	21	Q. Okay. And if you couldn't meet all of that	17:01:28
22	Q. How was that price set?	16:56:30	22	customer's needs for a given CRT order, would those CRTs	17:01:30
23	A. Panasonic -- the Panasonic set organization	16:56:36	23	then be supplied by a different CRT maker?	17:01:34
24	would submit a requested price, and then we would engage	16:56:43	24	A. I don't know because that would be a decision of	17:01:59
25	in a negotiation, and then the price would be determined	16:56:52	25	the set manufacturer.	17:02:01

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<p>1 Q. If a customer ordered a 15-inch tube from 17:02:04</p> <p>2 Samsung and a 15-inch tube from Panasonic, would that 17:02:10</p> <p>3 customer be able to use those tubes interchangeably in a 17:02:15</p> <p>4 given TV model without altering it? 17:02:18</p> <p>5 A. My understanding is that it's not possible to 17:02:58</p> <p>6 interchange them without making any changes whatsoever. 17:03:02</p> <p>7 Q. What changes would need to be made? 17:03:06</p> <p>8 A. First of all, there is two -- an electronic 17:03:56</p> <p>9 beam -- there is a cathode in the back, and the cathode 17:04:02</p> <p>10 has a filament. And the filament differs depending on 17:04:05</p> <p>11 the manufacturer. And so the power circuit would have to 17:04:10</p> <p>12 be changed. 17:04:17</p> <p>13 And then for the deflection yoke, there's a 17:04:17</p> <p>14 thing called impedance, and resistance and the capacity 17:04:20</p> <p>15 would be different by company. So that would have to be 17:04:24</p> <p>16 adjusted. 17:04:26</p> <p>17 And so my understanding is that for a set the 17:04:27</p> <p>18 resistance in the condenser would have to be changed. 17:04:31</p> <p>19 Q. Okay. Continuing on this theme of 17:04:36</p> <p>20 interchangeability, what are the differences between CDTs 17:04:38</p> <p>21 and CPTs? 17:04:43</p> <p>22 A. The resolution is different. 17:05:01</p> <p>23 Q. Can a 14-inch CPT tube be used in a 14-inch CDT 17:05:02</p> <p>24 finished product? 17:05:10</p> <p>25 A. We would -- you would be able to see the color 17:05:29</p>	<p>1 interchangeable between CDTs and CPTs? And for example, 17:08:45</p> <p>2 could you use a 14-inch CPT bulb inside a 14-inch CDT? 17:08:50</p> <p>3 A. Basically that is not possible. 17:09:21</p> <p>4 Q. Can you explain why? 17:09:23</p> <p>5 A. The shape of the panel, the glass is the same 17:09:25</p> <p>6 between the 14-inch CPT and CDT. But in order to secure 17:09:37</p> <p>7 the mask, there is a metal pin in the inside, and the 17:09:49</p> <p>8 location for the pin differs between the CDT and CPT. 17:09:57</p> <p>9 And when we buy the glass, when we buy the 17:10:14</p> <p>10 panel, we buy the glass bulb with the panel already on 17:10:17</p> <p>11 there. So the shape of the panel will be different 17:10:20</p> <p>12 between CPTs and CDTs. 17:10:23</p> <p>13 Q. Can the same electron gun be used in a CDT and a 17:10:26</p> <p>14 CPT of equal size? 17:10:32</p> <p>15 A. No. 17:10:38</p> <p>16 Q. Why not? 17:10:39</p> <p>17 A. The resolution is different. 17:10:41</p> <p>18 Q. Okay. Are the various components of different 17:10:43</p> <p>19 sizes of CRTs interchangeable? For example, can you use 17:10:48</p> <p>20 the same electron gun in a 15-inch and a 19-inch CDT? 17:10:51</p> <p>21 A. No. 17:11:11</p> <p>22 Q. Why? 17:11:20</p> <p>23 A. The electron gun goes on the same principle 17:11:28</p> <p>24 as -- as an optical lens. Then the distance between the 17:11:35</p> <p>25 electron gun and the screen would not be the same between 17:11:46</p>
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<p>1 and the picture, but it would not be very clean. 17:05:32</p> <p>2 Q. Anything else that would stop you from using a 17:05:39</p> <p>3 CPT in a CDT finished product? 17:05:42</p> <p>4 A. So you're going to put a CPT in a CDT monitor; 17:05:54</p> <p>5 right? 17:06:05</p> <p>6 Q. Yeah. 17:06:05</p> <p>7 A. Well, with monitors you would show letters or 17:06:40</p> <p>8 words, and the signal in the back would be very high 17:06:45</p> <p>9 frequency. And with a TV, the letters will not be very 17:06:50</p> <p>10 clear. It would look fuzzy. And like I said, it won't 17:06:56</p> <p>11 be able to see a clean picture. You will see the color 17:06:59</p> <p>12 red and blue, but it won't be possible to show the 17:07:02</p> <p>13 letters, which is really one of the objectives. 17:07:05</p> <p>14 Q. Okay. Can you use a CDT inside a CPT 17:07:09</p> <p>15 television? 17:07:14</p> <p>16 A. That, too, basically is not possible. The CDT 17:07:16</p> <p>17 has high resolution so the mask is very thin. So for 17:07:38</p> <p>18 that reason, when you apply a high current, then the mask 17:07:47</p> <p>19 will warp. The TV set will have a higher current, 17:07:52</p> <p>20 several times higher than that that is used in a monitor 17:08:20</p> <p>21 set. Then the mask will work. 17:08:24</p> <p>22 And my understanding is that will also mean that 17:08:31</p> <p>23 there's a possibility that the electron gun could break. 17:08:35</p> <p>24 Q. Okay. And maybe you've answered this in your 17:08:40</p> <p>25 last question, but are the various components 17:08:42</p>	<p>1 a 14-inch and a 15-inch. The 14-inch electron gun is 17:11:51</p> <p>2 designed so that it will able to focus with a distance of 17:12:00</p> <p>3 the 14-inch. And the 19-inch would be likewise designed. 17:12:06</p> <p>4 Q. Can the same mask be used in a 14-inch or a 17:12:12</p> <p>5 19-inch CDT? 17:12:17</p> <p>6 A. That also is impossible. 17:12:24</p> <p>7 Q. And is -- would the answer be the same if we 17:12:30</p> <p>8 were talking about CPTs? In other words, can you use the 17:12:33</p> <p>9 same electron gun in a 15-inch or a 19-inch CDT? 17:12:37</p> <p>10 A. So they're both CPTs. Of course we would use 17:12:51</p> <p>11 different electron guns. 17:12:56</p> <p>12 Q. And would you use different masks? 17:12:58</p> <p>13 A. Likewise, different. 17:13:01</p> <p>14 Q. Different bulbs? 17:13:03</p> <p>15 A. Right. 17:13:04</p> <p>16 Q. Okay. What -- oh, we already asked that. 17:13:04</p> <p>17 MR. YOHAI: We've been going about an hour and 17:13:32</p> <p>18 20. Do you want to take five minutes? 17:13:35</p> <p>19 MR. LAMBRINOS: Yeah. Let me take five minutes 17:13:37</p> <p>20 and see what I have left here. Thanks. We'll take a 17:13:39</p> <p>21 five-minute break. 17:13:42</p> <p>22 MR. YOLKUT: 5:14 17:13:47</p> <p>23 (Recess.) 17:14:15</p> <p>24 Q. BY MR. LAMBRINOS: Okay. We're back from our 17:28:34</p> <p>25 break, back online. I'm going to go down to topic 17:28:36</p>

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<p>1 number 9, a manufacturing and production, a description 17:28:40</p> <p>2 of your CRT product production facilities, including each 17:28:42</p> <p>3 of the following items as listed in the topic. 17:28:47</p> <p>4 The first series of questions are: What are the 17:28:50</p> <p>5 costs associated with Panasonic's CRT manufacturing 17:28:53</p> <p>6 facilities? And my example here is what is the setup 17:28:57</p> <p>7 time of the manufacturing facility? 17:29:01</p> <p>8 A. First of all, the manufacturing facility for a 17:29:35</p> <p>9 standard large product line costs in Japanese yen 17:29:49</p> <p>10 approximately 10 billion yen. 17:29:55</p> <p>11 Q. How long does it take? 17:30:05</p> <p>12 A. From the time that it is designed until the 17:30:14</p> <p>13 production starts is approximately one year. When it's a 17:30:17</p> <p>14 brand-new line, that is, when it's a brand-new line, then 17:30:21</p> <p>15 it's approximately one year. 17:30:24</p> <p>16 Q. And when you say from the time production starts 17:30:26</p> <p>17 to the time production begins, do you mean mass 17:30:28</p> <p>18 production? 17:31:03</p> <p>19 A. I used the term one year for the time it will 17:31:03</p> <p>20 take to start with an area where it's completely flat and 17:31:07</p> <p>21 then design the equipment that is going to be installed 17:31:12</p> <p>22 there to make the equipment and until the CPT tube is 17:31:14</p> <p>23 actually manufactured. 17:31:18</p> <p>24 Q. So from the time -- from the time of design to 17:31:24</p> <p>25 mass production is one year? 17:31:26</p>	<p>1 new facility, you mean a new CRT production facility; is 17:34:15</p> <p>2 that right? 17:34:18</p> <p>3 A. Yes. For example, we have the experience of 17:34:52</p> <p>4 taking the CRT facilities that we used in Japan, 17:34:54</p> <p>5 overhauling them, taking them to Malaysia and Beijing, 17:34:58</p> <p>6 and running them and manufacturing similar products. 17:35:02</p> <p>7 Q. And then you ultimately determined that that's 17:35:06</p> <p>8 not cost effective, and so now what you do is when you 17:35:09</p> <p>9 shut down a production line, you scrap the equipment? 17:35:13</p> <p>10 A. After 2004 -- or was it 2005? There was one 17:35:57</p> <p>11 experience that we had with one line only which used to 17:36:00</p> <p>12 be in Himaychi (phonetic). It was a large product -- 17:36:03</p> <p>13 large-size line. We took that to Thailand, but it didn't 17:36:07</p> <p>14 run well. 17:36:11</p> <p>15 And so we have this experience where that 17:36:12</p> <p>16 didn't -- that wasn't successful. But aside from that 17:36:14</p> <p>17 example, we basically do scrap everything. 17:36:17</p> <p>18 Q. The same question, but now about the CRT plant 17:36:21</p> <p>19 as a whole. When you decide to shut down a factory, what 17:36:26</p> <p>20 do you do with the plant as a whole? 17:36:30</p> <p>21 A. Well, we would remove the CRT equipment, and 17:36:55</p> <p>22 there are cases in which the building that would remain 17:36:59</p> <p>23 would be used for other business. And this would be the 17:37:02</p> <p>24 case for the Ohio plant. It has become a factory that 17:37:08</p> <p>25 manufactures shutters for garages. 17:37:18</p>
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<p>1 A. It takes around one year from the completion of 17:31:39</p> <p>2 the facility until the goods are produced, mass produced. 17:31:43</p> <p>3 Q. So just so I understand, does that mean two 17:31:47</p> <p>4 years in total from a flat piece of -- flat tract of land 17:31:51</p> <p>5 to the manufacturing of the facility to mass production, 17:31:56</p> <p>6 that takes two years total? 17:32:00</p> <p>7 A. It's a little less -- approximately a little 17:32:17</p> <p>8 less than two years. 17:32:20</p> <p>9 Q. When Panasonic decides to shut down a CRT 17:32:21</p> <p>10 production line, what happens to the CRT production 17:32:26</p> <p>11 equipment? 17:32:29</p> <p>12 A. We basically will destroy them. 17:32:47</p> <p>13 Q. Are there no other uses for that equipment? Is 17:32:50</p> <p>14 that why it's destroyed? 17:32:55</p> <p>15 A. There were cases in which the equipment that was 17:33:11</p> <p>16 being used were overhauled and brought into a different 17:33:14</p> <p>17 site. That was in the '90s and in the beginning of the 17:33:17</p> <p>18 year 2000s. However, from that experience we learned 17:33:24</p> <p>19 that overhauling the facilities that we had before and 17:33:47</p> <p>20 bringing it into a new place didn't allow for the yield 17:33:50</p> <p>21 to increase and it wasn't possible to really create a 17:33:55</p> <p>22 very good facility doing it that way. 17:33:59</p> <p>23 So by 2004, 2005, towards the end of them, we 17:34:01</p> <p>24 had made the decision that we would build a new facility. 17:34:05</p> <p>25 Q. And when you brought the old equipment into a 17:34:10</p>	<p>1 But for Indonesia, we demolished everything and 17:37:26</p> <p>2 removed everything so that it is a bare land. So it was 17:37:31</p> <p>3 a case-by-case then. 17:37:37</p> <p>4 Q. Which was more -- scratch that. 17:37:42</p> <p>5 Let's talk about the costs of switching. 17:37:46</p> <p>6 Oh, did you ever sell any equipment to third 17:37:57</p> <p>7 parties? 17:38:03</p> <p>8 A. We tried that, but it wasn't successful. 17:38:03</p> <p>9 Q. What costs are involved -- well, first, what -- 17:38:07</p> <p>10 how does Panasonic track its plant-level costs of CRT 17:38:10</p> <p>11 production? 17:38:15</p> <p>12 A. Accounting will always keep track of the cost 17:38:45</p> <p>13 for the material for a certain CRT in that particular 17:38:49</p> <p>14 factory. So they would keep track of the costs. 17:38:54</p> <p>15 Q. Do you track the labor costs? 17:39:01</p> <p>16 A. Yes, of course. We want cheaper personnel -- 17:39:12</p> <p>17 labor costs so we would track that. 17:39:17</p> <p>18 Q. What types of reports are used to track these 17:39:19</p> <p>19 plant-level costs? 17:39:23</p> <p>20 A. The information didn't come to me on a regular 17:40:01</p> <p>21 basis. Basically, the policy was that each facility 17:40:04</p> <p>22 would keep track of it, would have that information kept 17:40:07</p> <p>23 track of by the person responsible for it. 17:40:10</p> <p>24 Q. Who is responsible for that information? 17:40:17</p> <p>25 A. Taking Ohio as an example, the head of the 17:40:49</p>

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<p>1 factory had responsibility to improve the business, and 17:40:53</p> <p>2 so of course naturally he would be concerned about the 17:41:00</p> <p>3 labor costs. And so there is a personnel division that 17:41:02</p> <p>4 would check to see what the labor costs was, and that 17:41:06</p> <p>5 report would be made to the head of that factory. 17:41:08</p> <p>6 Q. Who was the head of the Ohio factory? 17:41:13</p> <p>7 A. During the MTPD days, it was a Mr. Nakamoto and 17:41:29</p> <p>8 Mr. Yamanaka. 17:41:33</p> <p>9 Q. We talked a little bit before about the major 17:41:39</p> <p>10 component costs for CRTs, and I think maybe my question 17:41:41</p> <p>11 was misunderstood. So what I'd like to know is: What 17:41:45</p> <p>12 specifications are the most costly part of a CRT? 17:41:51</p> <p>13 MR. YOHAI: Objection to the form of the 17:42:23</p> <p>14 question. I don't understand what you mean -- 17:42:24</p> <p>15 MR. LAMBRINOS: Well, what -- let me rephrase 17:42:27</p> <p>16 that. 17:42:29</p> <p>17 Q. When you're changing or altering specifications 17:42:29</p> <p>18 into -- for a CRT, what are the most expensive or costly 17:42:32</p> <p>19 specification changes? 17:42:38</p> <p>20 A. Let me first confirm whether you're referring to 17:43:11</p> <p>21 the change in specification for the same model or you're 17:43:15</p> <p>22 talking about changing the specification for different 17:43:20</p> <p>23 models for a 29-inch. 17:43:22</p> <p>24 Q. Let's start with the same model. 17:43:25</p> <p>25 A. In that case, it's not possible to make any 17:43:28</p>	<p>1 something like that. 17:46:26</p> <p>2 Q. BY MR. LAMBRINOS: Okay. Well, let me get this 17:46:42</p> <p>3 instead -- 17:46:44</p> <p>4 THE INTERPRETER: I'm sorry, I'm sorry. The 17:46:45</p> <p>5 interpreter apologizes. The number was wrong. Is that 17:46:47</p> <p>6 right? 17:46:55</p> <p>7 MR. LEHMAN: Yeah, like 120 million. Did you 17:46:57</p> <p>8 say 12 million? 17:47:00</p> <p>9 THE INTERPRETER: The interpreter said it wrong. 17:47:02</p> <p>10 It's like 120, 130 million yen -- dollars. 120, 17:47:04</p> <p>11 \$130 million. I'm so sorry. 17:47:11</p> <p>12 Q. MR. LAMBRINOS: All right. 120 million. I see. 17:47:15</p> <p>13 Q. What are the costs involved if Panasonic wanted 17:47:21</p> <p>14 to switch production to a different specification of CRT 17:47:28</p> <p>15 product? For example, switching from a 14-inch to a 17:47:33</p> <p>16 21-inch CDT? 17:47:43</p> <p>17 A. Usually something like that would not be done, 17:48:13</p> <p>18 and that is because the lines were divided up by tube 17:48:17</p> <p>19 size: Small, medium, large. 15 would be small. So it 17:48:23</p> <p>20 might go from 15 to 14 to 17, but it would never jump to 17:48:27</p> <p>21 21. 17:48:31</p> <p>22 Q. Well, from 14 to 17, what would the costs be? 17:48:32</p> <p>23 A. I think it would cost 20 -- 17:48:50</p> <p>24 THE INTERPRETER: Can the interpreter -- 17:48:59</p> <p>25 THE WITNESS: It would cost around 50 billion 17:49:12</p>
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<p>1 significant change in specification. So in my 17:43:44</p> <p>2 recollection, there wasn't really any specification 17:43:47</p> <p>3 change that was costly. 17:43:49</p> <p>4 Q. Okay. Now, if we're talking about different 17:43:50</p> <p>5 models. 17:43:53</p> <p>6 A. Uh-huh. A typical example would be to change -- 17:44:02</p> <p>7 would be changing the curve of the shadow mask for the 17:44:06</p> <p>8 same 29-inch, then we would need a mold for that shadow 17:44:10</p> <p>9 mask. So one mold costs in Japanese yen 30 million, and 17:44:18</p> <p>10 the lens for the exposure, the lens that would relate to 17:44:39</p> <p>11 that, I think cost 10 million yen. 17:44:42</p> <p>12 So in my recollection, to make that type of 17:44:51</p> <p>13 change it took several dozen yen -- I mean, I'm sorry, 17:44:53</p> <p>14 I'm sorry, 20 or 30 million yen. 17:45:00</p> <p>15 Q. Just so I have a baseline for this, we talked 17:45:07</p> <p>16 about the cost it takes to produce a factory, and you 17:45:10</p> <p>17 said, I think, 10 billion yen. What is that in U.S. 17:45:15</p> <p>18 dollars? 17:45:20</p> <p>19 A. So it would be. 17:45:50</p> <p>20 MR. LEHMAN: 1 million. 17:46:00</p> <p>21 THE WITNESS: So it would be 12 billion, 17:46:10</p> <p>22 13 billion yen, something like that. 17:46:13</p> <p>23 MR. LAMBRINOS: We're talking about dollars. 17:46:15</p> <p>24 THE INTERPRETER: The interpreter apologizes. 17:46:17</p> <p>25 THE WITNESS: Like 12 billion, \$13 billion or 17:46:22</p>	<p>1 yen or so, around that area. 17:49:16</p> <p>2 MR. LEHMAN: A hundred million. 17:49:19</p> <p>3 THE WITNESS: 500 million yen or so, around 17:49:21</p> <p>4 there. 17:49:25</p> <p>5 MR. YOHAI: I'm sorry, what was the answer? 500 17:49:25</p> <p>6 million. 17:49:28</p> <p>7 THE INTERPRETER: Around 500 million or so. 17:49:29</p> <p>8 MR. YOHAI: Yen? 17:49:32</p> <p>9 THE INTERPRETER: Yes. 17:49:34</p> <p>10 THE WITNESS: So it would be about \$5 million; 17:49:35</p> <p>11 is that right? 17:49:37</p> <p>12 MR. YOHAI: \$5 million. 17:49:38</p> <p>13 MR. LEHMAN: If the exchange rate is a hundred 17:49:40</p> <p>14 yen. 17:49:42</p> <p>15 MR. YOHAI: Yes, I know. I'm just asking to be 17:49:42</p> <p>16 clear. 17:49:45</p> <p>17 THE WITNESS: So it might be about \$6 million 17:49:45</p> <p>18 with the current exchange rate. 17:49:48</p> <p>19 Q. BY MR. LAMBRINOS: When you opened a factory for 17:50:08</p> <p>20 CRTs, how many lines were initially installed? First of 17:50:13</p> <p>21 all, how many lines were initially installed when you 17:50:16</p> <p>22 opened a new factory? 17:50:19</p> <p>23 A. For MTPD, it was standard generally to have two 17:50:36</p> <p>24 lines in a factory or in a building. 17:50:40</p> <p>25 Q. And how many lines could a factory ultimately 17:50:45</p>

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<p>1 support? 17:50:48</p> <p>2 A. The biggest factory was in Beijing and there 17:51:04</p> <p>3 were six lines. 17:51:08</p> <p>4 Q. What was the smallest factory? 17:51:13</p> <p>5 A. It was DDI in Indonesia, and it was one line. 17:51:21</p> <p>6 Q. What was the expected lifetime of a factory for 17:51:26</p> <p>7 CRTs? 17:51:30</p> <p>8 A. If it is maintained properly, then it would last 17:51:44</p> <p>9 almost forever. 17:51:49</p> <p>10 Q. Okay. In 2004, how many factories were there at 17:52:00</p> <p>11 MTPD? 17:52:03</p> <p>12 A. In the U.S., it was only Ohio, since New York 17:52:29</p> <p>13 was no longer there. So it's Ohio in the U.S., and Japan 17:52:34</p> <p>14 is the same, Beijing, Malaysia, Thailand, and Germany. 17:52:38</p> <p>15 Q. Did you monitor the utilization rates for each 17:52:43</p> <p>16 of these factories? 17:52:46</p> <p>17 A. I didn't do that myself, but the production 17:52:59</p> <p>18 support center which I mentioned this morning did so. 17:53:01</p> <p>19 Q. Would the production support center be looking 17:53:05</p> <p>20 for forecasts of production or would they be looking at 17:53:08</p> <p>21 actual output for these factories? 17:53:11</p> <p>22 A. They were looking at the actual output. 17:53:13</p> <p>23 Q. Is there any department at MTPD that was looking 17:53:26</p> <p>24 at forecasted output? 17:53:33</p> <p>25 A. The -- in MTPD Japan, the people who are 17:53:54</p>	<p>1 And my first question is about long-term 17:56:10</p> <p>2 production planning. Question: Did Panasonic engage in 17:56:13</p> <p>3 long-term forecasting or planning for future production 17:56:20</p> <p>4 volumes for deciding whether or not to expand or reduce 17:56:22</p> <p>5 production capacity? 17:56:27</p> <p>6 A. There was instruction that a three-year plan, a 17:57:34</p> <p>7 midterm plan had to be developed by the Panasonic 17:57:43</p> <p>8 business units. So based on the three-year midterm plan, 17:57:48</p> <p>9 the long-term schedule was set or the plans were made. 17:57:54</p> <p>10 Q. Where are those three-year plans? 17:58:00</p> <p>11 A. The major policy -- the policy was put together 17:58:26</p> <p>12 for MTPD as a whole and was submitted to the 17:58:30</p> <p>13 headquarters, in other words, to the accounting at 17:58:33</p> <p>14 Panasonic. 17:58:38</p> <p>15 Q. Was it the accounting department at Panasonic 17:58:40</p> <p>16 that generated the three-year plan? 17:58:42</p> <p>17 A. The MTPD three-year plan was developed with the 17:59:00</p> <p>18 accounting group in MTPD being the body that did that. 17:59:06</p> <p>19 Q. And who was the head of that accounting group? 17:59:10</p> <p>20 A. Mr. Morishita. 17:59:15</p> <p>21 Q. When Mr. Morishita generated these plans, what 17:59:18</p> <p>22 did he use for his long-term demand forecasts? 17:59:22</p> <p>23 A. I think that he probably developed them with 17:59:38</p> <p>24 cooperation and help from the organizations that were 17:59:43</p> <p>25 related. 17:59:48</p>
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<p>1 responsible for the factories were always concerned about 17:53:59</p> <p>2 what was going to happen in the next month, what the 17:54:04</p> <p>3 production -- the utilization rate was going to be, and 17:54:09</p> <p>4 what the customers' requested volume would be for the 17:54:16</p> <p>5 following month. 17:54:19</p> <p>6 Q. And how was that information tracked? 17:54:24</p> <p>7 A. I think each of the factories had people who are 17:54:27</p> <p>8 responsible for the factory who tracked it according to 17:54:40</p> <p>9 how they felt they should. 17:54:44</p> <p>10 Q. And did the heads of each of those factories 17:54:47</p> <p>11 submit reports to you on utilization rates? 17:54:53</p> <p>12 A. The utilization rate basically -- as a rule is 17:54:55</p> <p>13 not reported. 17:55:11</p> <p>14 Q. Let's talk about topic number 10, which are your 17:55:18</p> <p>15 policy -- well, before I get to that, the information on 17:55:22</p> <p>16 utilization rates would be kept, though, by the heads of 17:55:25</p> <p>17 the factories? 17:55:31</p> <p>18 A. My understanding is that basically if they don't 17:55:38</p> <p>19 keep that information, they would not be able to run 17:55:51</p> <p>20 their factories. 17:55:54</p> <p>21 Q. That's fair. 17:55:56</p> <p>22 Topic number 10 is your policies and practices 17:55:57</p> <p>23 for setting production levels of CRTs, CRT products. So 17:56:00</p> <p>24 we're going to talk about two types of production 17:56:07</p> <p>25 planning. 17:56:10</p>	<p>1 Q. But in terms of information, were those 17:59:51</p> <p>2 long-term demand forecasts based on expected plant costs? 17:59:55</p> <p>3 A. Well, basically what the form is the foundation 18:00:17</p> <p>4 would be information about the market. 18:00:26</p> <p>5 Q. Would that information about the market include 18:00:27</p> <p>6 expected competitor output? 18:00:30</p> <p>7 A. No, that wouldn't be included. Basically it is 18:00:39</p> <p>8 made by taking into consideration the information from 18:01:08</p> <p>9 research companies like I Supply, as I mentioned earlier, 18:01:14</p> <p>10 and paying attention to the shift between -- shift from 18:01:18</p> <p>11 the CRT TVs to the thin-screen TVs and so -- and 18:01:23</p> <p>12 anticipating how each of the sites would react. 18:01:30</p> <p>13 Q. Would they also be looking at the total expected 18:01:35</p> <p>14 supply of CRTs into the market? 18:01:38</p> <p>15 A. The -- in the information from the research 18:02:21</p> <p>16 company, there's information about the scale of the 18:02:23</p> <p>17 market. So there the total -- oh, it's the total supply. 18:02:27</p> <p>18 Well, I'm not sure that I'm very clear about this. 18:02:31</p> <p>19 The research company would also provide 18:02:33</p> <p>20 information about anticipated needs and requirements. 18:02:37</p> <p>21 And, for example -- now the numbers might be wrong for 18:03:09</p> <p>22 this, but in 2004, globally let's say that there are 18:03:11</p> <p>23 200 million units of TV that were sold, 5 percent of 18:03:18</p> <p>24 which were the thin-screen TVs. In 2005, this is going 18:03:21</p> <p>25 to be changed to 10 percent, and following that after 18:03:25</p>

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1 that is going to be a certain percent. So that is the 18:03:28	1 By "corporate headquarters," do you mean corporate 18:08:37
2 basis on which it would be looked at. 18:03:30	2 headquarters of MTPD? 18:08:39
3 Q. Were the long-term plans for future production 18:03:37	3 MR. LAMBRINOS: Panasonic. 18:08:42
4 volumes, these three-year plans, kept in certain 18:03:40	4 MR. YOHAI: Panasonic headquarters? 18:08:44
5 documents or databases? 18:03:44	5 MR. LAMBRINOS: Yeah. 18:08:47
6 THE INTERPRETER: Can the interpreter confirm 18:04:13	6 MR. YOHAI: He's asking whether it was done at 18:08:50
7 something? 18:04:15	7 Panasonic headquarters or at each plant. 18:08:52
8 THE WITNESS: There is a certain format, a set 18:04:23	8 THE WITNESS: The plans are made at each plant. 18:09:14
9 format for the three-year plans. So I believe that it 18:04:27	9 Q. BY MR. LAMBRINOS: Is the -- is the forecasting 18:09:19
10 has been inputted that and kept. 18:04:30	10 and the three-year plans, do those require approval by 18:09:21
11 Q. BY MR. LAMBRINOS: Were those produced in this 18:04:35	11 MTPD -- MTPD corporate headquarters? 18:09:25
12 litigation? 18:04:37	12 A. Well, the three-year plan is submitted to the 18:09:44
13 A. I don't know. 18:04:40	13 headquarters, but the three-month plan, the short-term 18:09:53
14 Q. Can your counsel answer that question? 18:04:41	14 one, there is no obligation to provide that information 18:09:56
15 MR. YOHAI: Sitting here today, I know that we 18:04:45	15 at all to the headquarters. 18:09:59
16 produced many different kinds of plans. I don't know 18:04:47	16 Q. What happens after the three-year plan is 18:10:01
17 which ones exactly he's referring to. It's possible it 18:04:51	17 submitted to headquarters? 18:10:03
18 was produced, but I can't -- based upon testimony, I 18:04:54	18 A. Nothing. 18:10:07
19 can't confirm or deny it. 18:04:57	19 Q. Who is it submitted to? 18:10:10
20 Q. BY MR. LAMBRINOS: Were these -- sorry. 18:05:18	20 A. A three-year plan for all of Panasonic is made. 18:10:21
21 Were these production plans in any way 18:05:24	21 Then each of the business units have to develop their own 18:10:29
22 influenced -- or excuse me, were these production plans 18:05:27	22 three-year plans. And then all the data is collected to 18:10:32
23 in any way generated by the use of internal numbers like 18:05:32	23 create a three-year plan for all of Panasonic. 18:10:40
24 we saw in the CRT line status reports? 18:05:34	24 Q. Who is in charge of creating a three-year plan 18:10:44
25 A. Long term? For the long term, it's not data 18:06:02	25 for all of Panasonic? 18:10:47
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1 like that. The data is much rougher than that. The 18:06:04	1 A. It would, of course, be the president at that 18:10:54
2 numbers are much rougher. They're just estimates or 18:06:07	2 time because it's for all of the Panasonic entities. 18:10:58
3 forecasts. 18:06:13	3 MR. YOHAI: Counsel, I'm going to lodge an 18:11:02
4 Q. And they are produced by display search or only 18:06:14	4 objection at this point. You're asking about plans for 18:11:04
5 by I Supply? 18:06:17	5 all of Panasonic. None of the topics have anything to do 18:11:06
6 A. I was the one who created this. So this -- 18:06:45	6 with all of Panasonic. You strayed way beyond CRTs. 18:11:09
7 depending on the situation, I think it might be possible 18:06:50	7 It's 11 minutes after six. The witness has been 18:11:13
8 that the information on the trend for the thin screen was 18:06:53	8 answering questions for over eight hours. 18:11:17
9 exchanged with people in the TV set organization, in 18:06:59	9 So I need to know from you, are you going to be 18:11:17
10 other words, from the Panasonic TV set people. So they 18:07:05	10 much longer or should we pick it up tomorrow? Because if 18:11:20
11 could have been using it. 18:07:08	11 you're going to be more than 20 minutes, we'll just pick 18:11:24
12 Q. Were these long-term planning reports shared 18:07:17	12 it up tomorrow. 18:11:27
13 with Toshiba? 18:07:19	13 MR. LAMBRINOS: Well, I think it does fall under 18:11:28
14 A. I don't really have recollection of that. 18:07:28	14 topic number 10 in terms of your policies and practices 18:11:31
15 Q. Let's talk about short-term planning. Did 18:07:31	15 for setting production levels, and we're just trying to 18:11:33
16 Panasonic make short-term forecasts or plans for its 18:07:34	16 find out what happens to those plans. 18:11:37
17 production volumes? 18:07:37	17 MR. YOHAI: Policies for -- production levels 18:11:38
18 A. I think, of course, each facility did do so. 18:07:52	18 for CRT products. Your last series of questions had to 18:11:40
19 Q. How far ahead? Weeks or months? 18:07:55	19 do with all of Panasonic and all of Panasonic's plans. 18:11:43
20 A. In my recollection, it was generally the 18:08:12	20 MR. LAMBRINOS: These were follow-up questions 18:11:45
21 forecast was made for three months ahead, and then it was 18:08:16	21 based on the testimony of the witness. 18:11:47
22 repeated in that way. 18:08:21	22 MR. YOHAI: Okay. The question remains to you: 18:11:49
23 Q. Was the forecasting done by corporate 18:08:22	23 Are you going to be more than another 15 or 20 minutes or 18:11:51
24 headquarters or was it at the discretion of each plant? 18:08:24	24 should we just pick it up tomorrow? Because I'm not 18:11:54
25 MR. YOHAI: Object to the form of the question. 18:08:35	25 going to make him sit here beyond that. He's been

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<p style="text-align: right;"><b>162</b></p> <p>1     answering questions for eight hours, and the questions     18:11:58</p> <p>2     are going everything but what's on your topics at this     18:12:02</p> <p>3     point.     18:12:03</p> <p>4     MR. LAMBRINOS: We're going to have to disagree     18:12:03</p> <p>5     about that. I think we can get the rest in, in     18:12:05</p> <p>6     30 minutes, if you want.     18:12:08</p> <p>7     MR. YOHAI: I'll confer with the witness as to     18:12:09</p> <p>8     what he wants to do. We'll go off the record.     18:12:11</p> <p>9     MR. LAMBRINOS: Okay. We can go off the record.     18:12:18</p> <p>10     (Recess.)     18:16:41</p> <p>11     MR. LAMBRINOS: Okay. We're back from a short     18:17:43</p> <p>12     break, and we've -- after a short discussion, we've     18:17:45</p> <p>13     decided to pick up the rest of this deposition at 9:30     18:17:48</p> <p>14     tomorrow morning to conclude the remaining topics.     18:17:51</p> <p>15     MR. YOHAI: Very good.     18:17:58</p> <p>16     MR. LAMBRINOS: And we're off the record.     18:18:01</p> <p>17     (Time noted: 6:18 p.m.)     18:18:51</p> <p>18     ---oOo---</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;"><b>164</b></p> <p>1     STATE OF CALIFORNIA     ) ss:</p> <p>2     COUNTY OF MARIN     )</p> <p>3</p> <p>4     I, LESLIE ROCKWOOD, CSR NO. 3452, do hereby</p> <p>5     certify:</p> <p>6     That the foregoing deposition testimony was</p> <p>7     taken before me at the time and place therein set forth</p> <p>8     and at which time the witness was administered the oath;</p> <p>9     That testimony of the witness and all objections</p> <p>10     made by counsel at the time of the examination were</p> <p>11     recorded stenographically by me, and were thereafter</p> <p>12     transcribed under my direction and supervision, and that</p> <p>13     the foregoing pages contain a full, true and accurate</p> <p>14     record of all proceedings and testimony to the best of my</p> <p>15     skill and ability.</p> <p>16     I further certify that I am neither counsel for</p> <p>17     any party to said action, nor am I related to any party</p> <p>18     to said action, nor am I in any way interested in the</p> <p>19     outcome thereof.</p> <p>20     IN WITNESS WHEREOF, I have subscribed my name</p> <p>21     this 25th day of July, 2012.</p> <p>22</p> <p>23</p> <p>24</p> <p>25     LESLIE ROCKWOOD, RPR, CSR NO. 3462</p>
<p style="text-align: right;"><b>163</b></p> <p>1     I declare under the penalty of perjury under the</p> <p>2     laws of the State of California that the foregoing is</p> <p>3     true and correct.</p> <p>4     Executed on _____, 2012, at</p> <p>5     _____,</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11     _____</p> <p>12     TATSUO TOBINAGA</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	

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